

JOURNAL OF THE PROCEEDINGS OF THE BOARD OF COMMISSIONERS OF COOK COUNTY



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**DAVID ORR
COUNTY CLERK**

JOURNAL OF THE PROCEEDINGS OF THE BOARD OF COMMISSIONERS OF COOK COUNTY

MARCH 4, 2009



TODD H. STROGER, PRESIDENT

**WILLIAM M. BEAVERS
JERRY BUTLER
FORREST CLAYPOOL
EARLEAN COLLINS
JOHN P. DALEY
ELIZABETH "LIZ" DOODY GORMAN
GREGG GOSLIN
ROBERTO MALDONADO
JOSEPH MARIO MORENO**

**JOAN PATRICIA MURPHY
ANTHONY J. PERAICA
MIKE QUIGLEY
TIMOTHY O. SCHNEIDER
PETER N. SILVESTRI
DEBORAH SIMS
ROBERT B. STEELE
LARRY SUFFREDIN**

**DAVID ORR
COUNTY CLERK**

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JOURNAL OF THE PROCEEDINGS

OF THE

BOARD OF COMMISSIONERS

OF COOK COUNTY

Meeting of Wednesday, March 4, 2009

10:00 A.M.
Central Standard Time

COOK COUNTY BOARD ROOM, COUNTY BUILDING

Board met pursuant to law and pursuant to Resolution 08-R-469.

OFFICIAL RECORD

President Stroger in the Chair.

CALL TO ORDER

At 10:00 A.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Stroger and Commissioners Beavers, Butler, Claypool, Daley, Gorman, Goslin, Maldonado, Moreno, Murphy, Peraica, Quigley, Schneider, Silvestri, Sims, Steele and Suffredin – 16.

Absent: Commissioner Collins – 1.

ANNOUNCEMENT

Warren L. Batts, Chairman of the Cook County Health & Hospitals System Board introduced William T. Foley, newly appointed Chief Executive Officer of the Cook County Health & Hospitals System.

INVOCATION

Reverend Richard L. Tolliver, Member of the Visiting Committee at the University of Chicago's School of Social Service Administration gave the Invocation.

COMMUNICATIONS REFERRED TO COMMITTEE

Pursuant to Cook County Code Section 2-108(y), Communication Nos. 298820 through 299118 were referred to their respective committees.

President Stroger moved that the meeting do now recess for the purpose of holding the various committee meetings.

BOARD RECONVENED

President Stroger in the Chair.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Stroger and Commissioners Beavers, Butler, Claypool, Daley, Gorman, Goslin, Maldonado, Moreno, Murphy, Peraica, Quigley, Schneider, Silvestri, Sims, Steele and Suffredin – 16.

Absent: Commissioner Collins – 1.

BOARD OF COMMISSIONERS OF COOK COUNTY

PRESIDENT

PROPOSED APPOINTMENT

Transmitting a Communication, dated March 3, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby appoint Mr. Abishi Carrando "A.C." Cunningham, Jr. to serve as the Cook County Public Defender for a six year term beginning April 1, 2009 and ending March 31, 2015. Mr. Cunningham shall assume the position of Public Defender following the expiration of Mr. Edwin A. Burnette's appointed term. Mr. Burnette's appointment expires March 31, 2009 and I thank him for his service.

Mr. Cunningham has extensive legal and administrative experience that will be an asset to the administration of the Cook County Public Defender's Office. Not only does Mr. Cunningham have significant legal supervisory experience from his time serving in positions such as, Chief Supervising Prosecutor of the Municipal District, Felony Trial Assistant and Chief of Vertical Prosecutions Unit in the Cook County State's Attorney's Office but he also has extensive experience in criminal prosecution and criminal defense. Moreover, Mr. Cunningham has specific experience in providing criminal defense services for indigent residents in felony, misdemeanor and juvenile cases as an alternative to representation by the Office of the Cook County Public Defender. Mr. Cunningham has recently served as an Associate Judge with the Circuit Court of Cook County where he has presided over thousands of misdemeanor bench trials and hundreds of criminal and civil jury trials.

Mr. Cunningham satisfies all of the qualifications for the position of Public Defender as set forth in the Counties Code (55 ILCS 5/3-4004.2). I submit this communication with recommendation for your approval of the appointment.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the communication be referred to the Committee on Legislation, Intergovernmental & Veterans Relations. (Comm. No. 299117). **The motion carried unanimously.**

REAPPOINTMENTS

Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint Richard David to the Northwest Mosquito Abatement District for a term to begin immediately and expire December 1, 2012.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint Karen Mills to the Northwest Mosquito Abatement District for a term to begin immediately and expire December 1, 2012.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint William Schneck to the Northwest Mosquito Abatement District for a term to begin immediately and expire December 1, 2012.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint William Bandelin to the Oak Meadow Sanitary District for a term to begin immediately and expire May 1, 2010.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint Karl Jackson to the Old Town Sanitary District for a term to begin immediately and expire May 1, 2010.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 27, 2009 from

TODD H. STROGER, President, Cook County Board of Commissioners

I hereby reappoint Dino Phillips to the Old Town Sanitary District for a term to begin immediately and expire May 1, 2011.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the reappointment by the President be approved. **The motion carried unanimously.**

RESOLUTION

**09-R-110
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

Co-Sponsored by

THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,

EARLEAN COLLINS, JOHN P. DALEY, ELIZABETH “LIZ” DOODY GORMAN,

GREGG GOSLIN, ROBERTO MALDONADO, JOSEPH MARIO MORENO,

JOAN PATRICIA MURPHY, ANTHONY J. PERAICA, MIKE QUIGLEY,

TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,

ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS

REMEMBERING THE LIFE OF THE HONORABLE EARL STRAYHORN

WHEREAS, Almighty God in His infinite wisdom has called a man who possessed a deep and true sense of justice and service, The Honorable Earl Strayhorn, from our midst; and

WHEREAS, Judge Strayhorn was born on April 24, 1918 in Columbus, Mississippi to Minnie Lee Orvis Strayhorn and Earl Edward Strayhorn, Sr.; and

WHEREAS, Judge Strayhorn’s family moved to the South Side of Chicago when he was five; he graduated from Tilden High School in Chicago in 1936, earned an A.B. from the University of Illinois in 1941 and received a J.D. from DePaul University Law School in 1948; and

WHEREAS, Judge Strayhorn served his Country as an artillery officer with the famed Tuskegee Airmen in Italy during World War II; he later joined the National Guard and rose to the rank of lieutenant colonel; and

WHEREAS, from 1949 to 1952 Judge Strayhorn served the residents of Cook County as a prosecuting assistant state’s attorney, before going into private practice; he later served as a trustee with the Metropolitan Sanitary District; and

WHEREAS, from 1970 to 1998, Judge Strayhorn served on the bench of the Cook County Circuit Court, where he distinguished himself as thoroughly well-prepared and as having an even-keeled temperament and a foremost sense of justice; from 1995 through 1998, Judge Strayhorn presided over the First Municipal Division, the County Court’s largest unit; and

WHEREAS, throughout his life Judge Strayhorn served on numerous boards; he also served as vice president of the Chicago Urban League from 1948 to 1960 and was parliamentarian for Tuskegee Airman, Inc. from 1985 to 1994; after stepping down from the bench, Judge Strayhorn remained active in civic affairs, and was vice chairman of a commission that reviewed the 2003 fatal fire at the Cook County Building at 69 West Washington Street; and

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WHEREAS, Judge Strayhorn taught law courses at numerous colleges and universities, including Northwestern University School of Law, Harvard Law School, Emory University College of Law, the National College of Criminal Defense Attorneys, Cardozo School of Law and the National Institute of Trial Advocacy; and

WHEREAS, Judge Strayhorn is survived by his wife, children, numerous relatives and countless friends; and

WHEREAS, in losing Judge Earl Strayhorn, we have lost a man whose deep and true sense of justice and service serves as an inspiration to us all.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners, on behalf of the more than five million residents of Cook County, does hereby express its deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of The Honorable Earl Strayhorn; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the family of The Honorable Earl Strayhorn so that his rich legacy may be so honored and ever cherished.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Peraica, moved to suspend Section 2-108(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Peraica, moved that the Resolution be approved and adopted. President Stroger called for a raising vote. **The motion carried unanimously.**

COMMISSIONERS

PROPOSED ORDINANCE AMENDMENT

Submitting a Proposed Ordinance Amendment sponsored by

JOSEPH MARIO MORENO, County Commissioner

PROPOSED ORDINANCE AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Division 4 Treasurer, Section 2-242 of the Cook County Code is hereby amended as follows:

Sec. 2-242. Consolidated property tax bill; additional information to be included on property tax bill.

In addition to all information currently on the second installment of property tax bills in Cook County, the tax bills shall also include a column titled "Percentage of Total Tax Bill." The "Percentage of Total Tax Bill" column will show, for each taxing district, the percentage of the total tax bill that each taxing district makes up, using the current tax year dollar amount. The column, "Taxing District", shall be broken out into the following categories; "County", "Municipal, Local and Township", "School Districts" and "Other", and each taxing district shall be listed within one of the four categories. Each category shall have a subtotal, both in dollar amount and percentage, and there shall be a grand total under the four categories. Commonly accepted alternative language and/or abbreviations may be substituted for the above mentioned titles in order to meet form constraints. These modifications will be implemented provided that they fall within the current constraints of the property tax bill, which allows a maximum of twenty-five lines.

Commissioner Moreno, seconded by Commissioner Beavers, moved to defer consideration of the Proposed Ordinance Amendment. **The motion carried unanimously.**

PROPOSED RESOLUTION

Submitting a Proposed Resolution sponsored by

ANTHONY J. PERAICA, County Commissioner

PROPOSED RESOLUTION

**CREATION OF A "PRIVATE SECTOR SURVEY ON COST
CONTROL OF COUNTY GOVERNMENT"**

WHEREAS, tough economic times require that governments use taxpayers resources efficiently; and

WHEREAS, it is crucial that governments streamline their operations to ensure that taxpayer monies are spent efficiently and wisely.

NOW, THEREFORE, BE IT RESOLVED, that the President and the Cook County Board of Commissioners do hereby commit to the formation of a Private Sector Survey on Cost Control of County Government for Cook County, Illinois (to be referred to as "the commission"); and

BE IT FURTHER RESOLVED, that the commission is to be made up of individuals from private sector Cook County business and civic organizations that are nominated by the President of the Cook County Board and approved by the Cook County Board of Commissioners; and

BE IT FURTHER RESOLVED, that the members of the commission shall serve without compensation, but may be reimbursed for reasonable expenses related to the functions of the commission; and

BE IT FURTHER RESOLVED, that the commission would be charged with responsibility for conducting in-depth reviews of county government operations and reporting back to the President and Board of Commissioners on determinations regarding waste and inefficiency in county government, and proposing solutions to problems where they are found; and

BE IT FURTHER RESOLVED, that the President and Board of Commissioners establish a working group of commissioners from both political parties for the purpose of determining the membership of the commission as well as the scope and extent of duties of the commission.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Peraica, seconded by Commissioner Silvestri, moved that the Proposed Resolution be referred to the Committee on Finance. (Comm. No. 299118). **The motion carried unanimously.**

RESOLUTIONS

09-R-111

RESOLUTION

Sponsored by

THE HONORABLE JOAN PATRICIA MURPHY AND DEBORAH SIMS

COUNTY COMMISSIONERS

A RESOLUTION RECOGNIZING PEER JURY PROGRAMS AND THEIR IMPORTANCE TO THE JUVENILE JUSTICE SYSTEM IN COOK COUNTY

WHEREAS, peer juries, also known as youth courts or teen courts, are one of the fastest growing crime intervention and prevention programs in the nation; and

WHEREAS, peer juries offer young, first-time, nonviolent offenders who admit their guilt an opportunity to be sentenced by their peers and receive a consequence that reflects the ideals of, and educates the offenders in, restorative justice; and

WHEREAS, peer juries give young volunteers the chance to serve as jurors in a coordinated effort to hold their peers accountable with balanced consequences that repair harm done to the victim, the community, and to the offender himself or herself, and their family; and

WHEREAS, peer jury programs exemplify the practices of empowering youth through involvement in community solutions, problem-solving, decision-making, leadership development, and positive peer pressure; and

WHEREAS, youth courts increase the awareness of delinquency issues and problem behavior on a local level and mobilize community members and youth to take an active role in addressing the problem; and

WHEREAS, Federal, State, and local governments, corporations, foundations, service organizations, educational institutions, juvenile justice agencies, and individual adults support youth court programs because such programs actively promote and contribute to building successful, productive lives and futures for our youth; and

WHEREAS, community service and related service learning opportunities enable young people to build character and to enhance and learn life skills, including responsibility, decision-making, time management, teamwork, public speaking, and leadership, which are skills that prospective employers value and which help to transform participants in youth court programs into productive members of their communities; and

WHEREAS, peer jury programs build ties between the justice system, members of the community and youth. Youth courts also build awareness in youth of the law and the consequences of delinquency, and build a type of community where youth can contribute to society.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners recognizes and commends the youth court programs in existence in Cook County, including, but not limited to the Homewood Flossmoor Peer Jury Program, for the support and efforts of such programs in enhancing the quality of the juvenile justice system in Cook County, and supports the purposes and practices of such programs in improving such system; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the Homewood Flossmoor Peer Jury Program in recognition of its success and that this text be spread upon the official proceedings of this Honorable Body.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Sims, seconded by Commissioner Moreno, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**09-R-112
RESOLUTION**

Sponsored by

**THE HONORABLE JOAN PATRICIA MURPHY AND ELIZABETH “LIZ” DOODY GORMAN
COUNTY COMMISSIONERS**

Co-Sponsored by

**THE HONORABLE TODD H. STROGER, PRESIDENT, WILLIAM M. BEAVERS,
JERRY BUTLER, FORREST CLAYPOOL, JOHN P. DALEY, GREGG GOSLIN,
ROBERTO MALDONADO, JOSEPH MARIO MORENO, ANTHONY J. PERAICA,
MIKE QUIGLEY, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

WHEREAS, the Baby Boomer generation, born between 1946 and 1964, is rapidly approaching retirement. In 2006 the first Baby Boomers turned 60; and

WHEREAS, the number of Americans over the age of 65 is expected to double from the year 2000 to 2030 and the number of people over age sixty in the State of Illinois is projected to increase by 87% from 1,966,236 in 2000 to 3,676,295 in 2030 – 1 in every 5 Illinoisans; and

WHEREAS, this growth presents both enormous potential and new planning challenges for communities and preparing for this growth requires coordinated action between multiple levels of government, the aging network, businesses, social service providers, faith-based and community organizations, families, and individuals; and

WHEREAS, a national survey of U.S. counties and cities found that in 2006 only 46% of communities had started planning to address the needs of the growing number of older residents; and

WHEREAS, recognizing the need for communities to prepare for this growing segment of the population, the Older Americans Act Amendments of 2006 authorized the Illinois Department on Aging and the 13 Planning and Service Areas of Illinois including Age Options to assess the preparedness of Illinois and our communities for the aging of the population and make recommendations to government officials in the areas of health and human services, land use, housing, transportation, public safety, workforce and economic development, recreation, education, civic engagement, and emergency preparedness; and

WHEREAS, a joint resolution of the Illinois General Assembly directs that the Illinois Department on Aging, the thirteen Area Agencies on Aging, and a statewide membership organization that advocates for the needs of seniors, with the advice of the Illinois Council on Aging and the Older Adult Services Advisory Committee, and in collaboration with other departments and offices of state government, advocacy organizations on behalf of older adults, local units of government, and organizations in the private sector, shall assess the preparedness of the State of Illinois and counties and communities within the 13 Planning and Service Areas of Illinois for the aging of the population and shall submit a report with recommendations for the planning and development of livable communities for all ages in Illinois to the Illinois General Assembly, the Office of the Governor, and local officials by January 1, 2011; and

WHEREAS, Age Options will assess the preparedness of the Cook County suburban communities of Wheeling, Des Plaines, Oak Lawn, Chicago Heights, Berwyn, and Lyons for the future growth of the senior population. Age Options will also assess existing policies, programs, and services within the selected communities to determine if and how they address the needs of an aging population.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County will work in collaboration with Age Options and local communities to facilitate the assessment and planning process of this initiative to ensure Cook County communities are prepared for a growing older adult population; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to Age Options and let it also be spread upon the official proceedings of this Honorable Body.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Murphy, seconded by Commissioner Steele, moved to suspend Section 2-108(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Murphy, seconded by Commissioner Steele, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**09-R-113
RESOLUTION**

Sponsored by

**THE HONORABLE TODD H. STROGER, PRESIDENT, JOAN PATRICIA MURPHY
AND DEBORAH SIMS, COUNTY COMMISSIONERS**

IN MEMORY OF ELONZO W. "LONNIE" HILL

WHEREAS, Almighty God in His infinite wisdom has called Elonzo W. Hill from our midst; and

WHEREAS, Elonzo W. Hill grew up in Chicago's Bronzeville neighborhood as one of ten children, attended Tilden High School and learned the plumbing trade from his father, a contractor with his own business. He later joined the Chicago Transit Authority (CTA) rising through the ranks to retire as one of the agency's top executives gaining an extensive knowledge of transit which would lead to his election to Vice Chairman of the Metra Board of Directors; and

WHEREAS, Elonzo W. Hill's long and extraordinary career in public transit spanned forty-eight years. He began his 37 year career with the CTA in 1961 as a bus driver, then supervisor, instructor and manager of operations and training. From 1991 to 1997 he served as the CTA's executive vice president of service delivery, overseeing operating, maintenance and construction activities effecting the rebuilding of the Green Line and the opening of the Orange Line to Midway Airport. Mr. Hill also served on the CTA's retirement allowance committee and as Chairman of the over two billion dollar pension fund during this same time period; and

WHEREAS, Elonzo W. Hill was a strong voice for the Southland after his appointment to the Metra Board of Directors in 2003 and he advocated tirelessly for improvements for the Electric Line stations and trains. Mr. Hill was elected Vice Chairman to the Metra Board in 2006 and 2008; and

WHEREAS, Elonzo W. Hill started his own consulting firm specializing in transportation and pension fund issues and impacted national transit policies through active involvement in the American Public Transit Association; and

WHEREAS, Elonzo W. Hill served on the president's advisory board for Harold Washington College and on the board of directors for Lakeside Bank; and

WHEREAS, Elonzo W. Hill was a devoted husband and father and is survived by his wife, Barbara; daughters Pamela, Joanne, Patricia, Maria and Helena; stepsons Carl and Michael; a brother, Edwin; sisters Lavonne and Cynthia; eight grandchildren and a great-grandchild. He was genuinely admired and respected by his many friends and colleagues and will be sorely missed and fondly remembered by all who knew him; and

WHEREAS, Elonzo W. Hill served the people of this State and County with distinction through his unswerving commitment to public service and leaves a legacy of dedication and devotion to his family and his community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County does hereby offer its deepest condolences and most heartfelt sympathy to the family and friends of Elonzo W. Hill and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the family of Elonzo W. Hill as recognition of his good works and that his memory may be so honored and ever cherished and let it also be spread upon the official proceedings of this Honorable Body.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Murphy, seconded by Commissioner Steele, moved to suspend Section 2-108(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Sims, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. President Stroger called for a raising vote. **The motion carried unanimously.**

* * * * *

**09-R-114
RESOLUTION**

Sponsored by

**THE HONORABLE GREGG GOSLIN, ELIZABETH "LIZ" DOODY GORMAN,
TIMOTHY O. SCHNEIDER AND PETER N. SILVESTRI, COUNTY COMMISSIONERS**

Co-Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

PLAN FOR THE PAYMENT OF THE 2007 PENSION OBLIGATION

WHEREAS, the Cook County Pension Fund is funded at 77%, one of the highest funded pension plans in Illinois and one of the highest in the country and is in sound financial condition; and

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WHEREAS, in 2005 the County's optional pension benefit expired and the terminal option benefit created \$104 million in additional employer costs that the County is obligated to cover; and

WHEREAS, there is no support among the County Board to borrow funds long-term utilizing 25 year general obligation bonds; and

WHEREAS, the will of this body is to make this payment to the pension board in an expeditious manner without long-term borrowing.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners ~~directs~~ urge the President to negotiate with the pension board payment of this obligation using County operating funds or short-term tax anticipation notes; and

BE IT FURTHER RESOLVED, that the \$104 million pension obligation could be paid from operating revenue, on an installment basis over a period of years; and

BE IT FURTHER RESOLVED, that the ~~County's financial team~~ President will report back to the Board with a tentative repayment schedule of this pension obligation by April 30, 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Silvestri, seconded by Commissioner Peraica, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Goslin, seconded by Commissioner Schneider, moved to accept the Proposed Substitute Resolution. **The motion carried unanimously.**

Commissioner Goslin, seconded by Commissioner Peraica, moved to approve the Proposed Substitute Resolution.

Commissioner Goslin, seconded by Commissioner Silvestri, moved to amend the Proposed Substitute Resolution by deleting the words "County's financial team" and inserting the word "President". **The motion carried unanimously.**

Commissioner Moreno, seconded by Commissioner Murphy, moved that the Proposed Substitute Resolution be referred, as amended to the Committee on Finance.

Following discussion, Commissioner Moreno, seconded by Commissioner Goslin, moved to further amend the Proposed Substitute Resolution by deleting the word "directs" and inserting the word "urge". **The motion carried unanimously.**

Returning to the previous motion, Commissioner Moreno, seconded by Commissioner Murphy, moved that the Proposed Substitute Resolution be referred, as amended to the Committee on Finance. **The motion was withdrawn.**

Commissioner Goslin, seconded by Commissioner Peraica, moved that the Substitute Resolution be approved and adopted, as amended. Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON MOTION TO APPROVE AS AMENDED
THE SUBSTITUTE RESOLUTION**

Yeas: Butler, Claypool, Daley, Gorman, Goslin, Maldonado, Moreno, Murphy, Peraica, Schneider, Silvestri, Sims, Steele, Suffredin - 14.

Nays: Beavers - 1.

Absent: Collins and Quigley - 2.

The motion CARRIED and the Substitute Resolution was APPROVED and ADOPTED, AS AMENDED.

PROPOSED CONSENT CALENDAR

Submitting a Proposed Resolution sponsored by

TODD H. STROGER, President, Cook County Board of Commissioners

PROPOSED RESOLUTION

REMEMBERING THE LIFE OF THE HONORABLE EARL STRAYHORN

WHEREAS, Almighty God in His infinite wisdom has called a man who possessed a deep and true sense of justice and service, The Honorable Earl Strayhorn, from our midst; and

WHEREAS, Judge Strayhorn was born on April 24, 1918 in Columbus, Mississippi to Minnie Lee Orvis Strayhorn and Earl Edward Strayhorn, Sr.; and

WHEREAS, Judge Strayhorn's family moved to the South Side of Chicago when he was five; he graduated from Tilden High School in Chicago in 1936, earned an A.B. from the University of Illinois in 1941 and received a J.D. from DePaul University Law School in 1948; and

WHEREAS, Judge Strayhorn served his Country as an artillery officer with the famed Tuskegee Airmen in Italy during World War II; he later joined the National Guard and rose to the rank of lieutenant colonel; and

WHEREAS, from 1949 to 1952 Judge Strayhorn served the residents of Cook County as a prosecuting assistant state's attorney, before going into private practice; he later served as a trustee with the Metropolitan Sanitary District; and

WHEREAS, from 1970 to 1998, Judge Strayhorn served on the bench of the Cook County Circuit Court, where he distinguished himself as thoroughly well-prepared and as having an even-keeled temperament and a foremost sense of justice; from 1995 through 1998, Judge Strayhorn presided over the First Municipal Division, the County Court's largest unit; and

WHEREAS, throughout his life Judge Strayhorn served on numerous boards; he also served as vice president of the Chicago Urban League from 1948 to 1960 and was parliamentarian for Tuskegee Airman, Inc. from 1985 to 1994; after stepping down from the bench, Judge Strayhorn remained active in civic affairs, and was vice chairman of a commission that reviewed the 2003 fatal fire at the Cook County Building at 69 West Washington Street; and

WHEREAS, Judge Strayhorn taught law courses at numerous colleges and universities, including Northwestern University School of Law, Harvard Law School, Emory University College of Law, the National College of Criminal Defense Attorneys, Cardozo School of Law and the National Institute of Trial Advocacy; and

WHEREAS, Judge Strayhorn is survived by his wife, children; and

WHEREAS, in losing Judge Earl Strayhorn, we have lost a man whose deep and true sense of justice and service serves as an inspiration to us all.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners, on behalf of the more than five million residents of Cook County, does hereby express its deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of The Honorable Earl Strayhorn; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the family of The Honorable Earl Strayhorn so that his rich legacy may be so honored and ever cherished.

This item was WITHDRAWN at the request of the sponsor.

Note: Please see the approved Resolution 09-R-110 under the Board of Commissioners of Cook County, President in this Journal of Proceedings, page 760.

CONSENT CALENDAR

**09-R-115
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

Co-Sponsored by

THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,

JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,

ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,

ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,

PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN

COUNTY COMMISSIONERS

WHEREAS, Almighty God in His infinite wisdom has called Norman Allen Van Lier, III from our midst; and

WHEREAS, “Stormin’ Norman,” as he was called with adulation and affection, was one of the NBA’s top defensive players in the 1970s, as well as one of the most popular players in Chicago Bull’s history; and

WHEREAS, Mr. Van Lier was legendary for his tenacious, dedicated playing style; he always played with heart and ferocity; and

WHEREAS, Mr. Van Lier played for the Cincinnati Royals from 1969 to 1971, for the Chicago Bulls from 1971 to 1978 and for the Milwaukee Bucks from 1978 to 1979, and played in three All-Star Games in 1974, 1976 and 1977; and

WHEREAS, Mr. Van Lier was named to three NBA All-Defense First Teams and five NBA All-Defense Second Teams; he led the NBA in assists during his second season in 1971 and was named to the All-NBA Second Team in 1974; and

WHEREAS, Mr. Van Lier retired from professional basketball with 8,770 points and 5,217 assists; and

WHEREAS, Mr. Van Lier brought his trademark dedicated work ethic to his position as Assistant Coach of the Worcester Counts in the World Basketball League in 1989; and

WHEREAS, from 1992 through 2009 Mr. Van Lier had an extensive career as a broadcaster; he served as an incisive Bulls commentator and analyst both on radio and television; and

WHEREAS, Mr. Van Lier also served as a disk jockey for the Chicago rock music station, WLUP, and had supporting roles in the movies, *Barbershop* and *Barbershop 2*; and

WHEREAS, with the death of Norman Allen Van Lier, III we have lost a dedicated man who will forever be remembered as an athletic warrior.

NOW, THEREFORE, BE IT RESOLVED, that Norman Allen Van Lier, III’s memory shall be cherished in all of the hearts of the people he touched and loved; and

BE IT FURTHER RESOLVED, that the Cook County Board of Commissioners, on behalf of the more than five million residents of Cook County, does hereby express its deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of Norman Allen Van Lier, III, and may a suitable copy of this Resolution be tendered herewith.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Silvestri, seconded by Commissioner Goslin, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**09-R-116
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

Co-Sponsored by

THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,

JOHN P. DALEY, ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN,

ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,

ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,

PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN

COUNTY COMMISSIONERS

WHEREAS, Almighty God in His infinite wisdom has called John G. (Johnny) “Red” Kerr from our midst; and

WHEREAS, “Red” Kerr was a phenomenal professional basketball player, coach and color commentator beloved by the public; and

WHEREAS, “Red” Kerr led Tilden Technical High School to the 1950 Chicago Public League Championship; after high school he played for the University of Illinois, helping them win the Big Ten Championship and advance to the NCAA Final Four; and

WHEREAS, during his first season as a professional basketball player (1954-1955), “Red” Kerr helped the Syracuse Nationals capture their first NBA Championship; additionally he played for the Philadelphia 76ers from 1963 to 1965, and for the Baltimore Bullets from 1965 to 1966; “Red” Kerr was an NBA All-Star in 1956, 1959 and 1963; and

WHEREAS, “Red” Kerr retired from being a professional athlete to become the first head coach of the newly formed Chicago Bulls; the Chicago Bulls became the first expansion team to win a playoff berth in its inaugural season; after another season with the Chicago Bulls, “Red” Kerr went on to be head coach of the Phoenix Suns during their first two seasons; and

WHEREAS, at the suggestion of the Chicago Bulls’ play-by-play announcer, Jim Durham, “Red” Kerr began to provide color commentary during Chicago Bulls games; he remained for over thirty years as a color commentator until the end of the 2007-2008 season; and

WHEREAS, during this time “Red” Kerr was the constant voice of the Chicago Bulls, in particular throughout their championship years; and

WHEREAS, “Red” Kerr covered Michael Jordan’s entire career with the Chicago Bulls; Michael Jordan and “Red” Kerr even shared a pre-game ritual where Michael Jordan would walk over to the broadcasting booth and playfully clap talcum powder in front of “Red” Kerr; and

WHEREAS, on February 10, 2009 “Red” Kerr was honored with the unveiling of a sculpture of him to stand in the United Center; he was also awarded the Basketball Hall of Fame’s John W. Bunn Lifetime Achievement Award, which was presented by Jerry Colangelo.

NOW, THEREFORE, BE IT RESOLVED, that John G. (Johnny) “Red” Kerr’s memory shall be cherished in all of the hearts of the people he touched and loved; and

BE IT FURTHER RESOLVED, that the Cook County Board of Commissioners, on behalf of the more than five million residents of Cook County, does hereby express its deepest condolences and most heartfelt sympathy to the family as well as to the many friends and loved ones of John G. (Johnny) “Red” Kerr, and may a suitable copy of this Resolution be tendered herewith.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Silvestri, seconded by Commissioner Goslin, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**09-R-117
RESOLUTION**

Sponsored by

THE HONORABLE JOHN P. DALEY, COUNTY COMMISSIONER

AND PRESIDENT TODD H. STROGER

Co-Sponsored by

THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,

EARLEAN COLLINS, ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN,

ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,

ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,

PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN

COUNTY COMMISSIONERS

WHEREAS, Almighty God in His infinite wisdom has called Mary Ellen Harling from our midst; and

WHEREAS, Mary Ellen Harling was the beloved and devoted wife of the late Harry "Sparky" Harling; and

WHEREAS, Mary Ellen Harling was the friend and loving mother of Chuck (Mary), Peggy (Ray) Peacock, and Wendy (Jeff) Winters; and

WHEREAS Mary Ellen Harling was the adoring ME-ME of her four most special grandchildren, Maggie, Lauren Robert, and Aidan; and

WHEREAS, Mary Ellen Harling was the dear sister of Helen (the late Len) Armis, Peggy (John) Hanik, and the late Sharon Feipel; and

WHEREAS, Mary Ellen Harling was the sister-in-law, aunt, cousin, and loving friend to many, and special aunt of Chris and Mo; and

WHEREAS, Mary Ellen Harling served her community with dedication and love as a most valuable volunteer for Nativity of our Lord Church and School in various capacities for many years; and

WHEREAS, all who knew her will attest that Mary Ellen Harling was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Mary Ellen Harling, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Mary Ellen Harling, that her memory may be so honored and ever cherished.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Silvestri, seconded by Commissioner Goslin, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**09-R-118
RESOLUTION**

Sponsored by

THE HONORABLE JOAN PATRICIA MURPHY, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE TODD H. STROGER, PRESIDENT, WILLIAM M. BEAVERS,
JERRY BUTLER, FORREST CLAYPOOL, EARLEAN COLLINS, JOHN P. DALEY,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, ROBERTO MALDONADO,
JOSEPH MARIO MORENO, ANTHONY J. PERAICA, MIKE QUIGLEY,
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

IN MEMORY OF EARL NATHANIEL COLLYMORE

WHEREAS, Earl N. Collymore was the endearing husband for 47 years of Aretas, loving son of Renetta and (the late) Joseph, father of Karyn and Kerri, doting grandfather of Alexzandria, son-in-law of Esther, brother of Editha and (the late) Michael, and fond uncle to many nieces and nephews; and

WHEREAS, Earl N. Collymore was born in Chicago in 1938, attended Doolittle Elementary, graduated from Tilden Technical High School, attended the University of Illinois, Navy Pier and Champaign, and Roosevelt University graduating with a Bachelor of Science Degree in Mathematics. He enlisted in the Marines and served at Camp Pendleton, California. After graduating, Mr. Collymore worked for Nye Systems, Inc. and Lanier Products; and

WHEREAS, Earl N. Collymore became an assistant engineer at Commonwealth Edison in 1970. His strong leadership and communication skills led to a move to marketing with responsibility for some of ComEd's major companies. Mr. Collymore retired as an Assistant Marketing Supervisor in 1994; and

WHEREAS, Earl N. Collymore's fervent commitment to service and providing leadership was first evidenced as a young man as a member of Phalanx Fraternity and Y's Men International. He also sponsored Kiwanis International at Lane Technical High School and became a member of the Community Action Development Association of Harvey; and

WHEREAS, Earl N. Collymore was unwaveringly dedicated to his community and spent much of his life working with the Community and Economic Development Association of Cook County (CEDA), a non-profit organization which works in partnership with suburban communities to empower families and individuals to achieve self-sufficiency and improve their quality of life. He was a member of the CEDA Center for Community Action Board where he chaired several committees and served as President, Vice President and Secretary at various times from 1988 to the present. He was appointed to the CEDA Corporate Governing Board from 1996 to the present and was also a member of the Community Development Fund, Inc. Board; and

WHEREAS, Earl N. Collymore enjoyed traveling the world with his wife and friends. They traveled through the Panama Canal, Costa Rica, Alaska and across Canada. Recently they spent three weeks traveling to China, Viet Nam, Taiwan and Japan and climbed the Great Wall; and

WHEREAS, Earl N. Collymore served the people of Cook County with distinction and left a legacy of devotion to his family and faith and ardent commitment to his community. He was genuinely admired and respected by his many friends and colleagues and will be sorely missed and fondly remembered by all who knew him.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County does hereby offer its deepest condolences and most heartfelt sympathy to the family and friends of Earl N. Collymore and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be tendered to the family of Earl N. Collymore as recognition of his good works and that his memory may be so honored and ever cherished and let it also be spread upon the official proceedings of this Honorable Body.

Commissioner Silvestri, seconded by Commissioner Goslin, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**09-R-119
RESOLUTION**

Sponsored by

**THE HONORABLE JOHN P. DALEY, COUNTY COMMISSIONER
AND PRESIDENT TODD H. STROGER**

Co-Sponsored by

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,
EARLEAN COLLINS, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,
ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,
ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN
COUNTY COMMISSIONERS**

WHEREAS, Almighty God in His infinite wisdom has called Katherine M. Marro from our midst; and

WHEREAS, Katherine M. Marro was the beloved wife of the late Nicholas J. Marro; and

WHEREAS, Katherine M. Marro was born in New York to the late Francesco and Mary (Raso) Schiano; and

WHEREAS, Katherine M. Marro was the loving mother of Rev. Nicholas Marro C.S., Michael F. Marro (Peggy), Ann Marie Maiorisi (Richard); and

WHEREAS, Katherine M. Marro was the dearest sister of Louis, Frank, and George Schiano, and the late Vincent, Michael, Domenic, Ortenzio, Alfred and Rita Schiano, Rose and Yolanda Macina, and Enes Longabardi; and

WHEREAS, Katherine M. Marro was the cherished grandmother of five and great-grandmother of six; and

WHEREAS, Katherine M. Marro was a loyal member of the St. Rocco's Church in Rhode Island, active in the Legion of Mary, and was also a valued member of Our Lady of Providence Seminary Alumni Guild; and

WHEREAS, all who knew her will attest that Katherine M. Marro was a kind and compassionate woman, virtuous of character and gentle in spirit, admired and respected by her many friends and neighbors, and dearly loved by her family.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Cook County that the Board does hereby offer its deepest condolences and most heartfelt sympathy to the family and many friends of Katherine M. Marro, and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that this text be spread upon the official proceedings of this Honorable Body, and a suitable copy of same be tendered to the family of Katherine M. Marro, that her memory may be so honored and ever cherished.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Silvestri, seconded by Commissioner Goslin, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ROADS & BRIDGES

March 4, 2009

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Stroger and Chairman Moreno, Vice Chairman Gorman, Commissioners Beavers, Butler, Claypool, Daley, Goslin, Maldonado, Peraica, Schneider, Silvestri, Sims and Suffredin (13)

Absent: Commissioners Collins, Murphy, Quigley and Steele (4)

Ladies and Gentlemen:

Your Committee on Roads & Bridges, having had under consideration the matters hereinafter mentioned, respectfully reports and recommends as follows:

SECTION 1

Your Committee has considered the following communication from Rupert F. Graham, Jr., P.E., Superintendent of Highways, recommending for approval changes in plans and extra work in the construction of certain highway improvements.

298805 HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting recommendation for change in plans and extra work on Section: 06-W2509-05-FP. 104th Avenue, 167th Street to 159th Street in the Village of Orland Park and the Forest Preserve District of Cook County in County Board District #17. Adjustment of quantities and a new item. \$249,743.95 (Deduction).

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- 298806 HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting recommendation for change in plans and extra work on Section: 08-V6945-01-RS. Arlington Heights Road, Rand Road to University Drive in the Villages of Buffalo Grove and Schaumburg in County Board District #14. Adjustment of quantities and new items. \$17,328.77 (Deduction).
- 298807 HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting recommendation for change in plans and extra work on Section: 08-B5935-05-RP. 170th (167th) Street, east of the Bishop Ford Expressway (I-94) to Burnham Avenue in the Villages of Lansing and South Holland in County Board District #6. Adjustment of quantities and a new item. \$264,851.20 (Addition).

Vice Chairman Gorman, seconded by Commissioner Peraica, moved the approval of the changes in plans and extra work described in Communication Nos. 298805, 298806 and 298807. The motion carried unanimously.

Vice Chairman Gorman moved to adjourn, seconded by Commissioner Butler. The motion carried and the meeting was adjourned.

Respectfully submitted,

COMMITTEE ON ROADS & BRIDGES

JOSEPH MARIO MORENO, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Moreno, seconded by Commissioner Beavers, moved that the Report of the Committee on Roads & Bridges be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON FINANCE

March 4, 2009

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Stroger and Chairman Daley, Vice Chairman Sims, Commissioners Beavers, Butler, Claypool, Gorman, Goslin, Maldonado, Moreno, Murphy, Peraica, Quigley, Schneider, Silvestri, Steele and Suffredin (16)

Absent: Commissioner Collins (1)

Ladies and Gentlemen:

SECTION 1

Your Committee has considered the following court orders submitted by attorneys for payment of fees earned by said attorneys for defending indigent defendants.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to said attorneys in the amounts recommended.

APPELLATE CASES

- 298859 THOMAS M. O'CONNELL, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,485.75 attorney fees regarding People of the State of Illinois v. Linda M. Trial Court Nos. 04-JA-1515, 04-JA-1516, 04-JA-1517 and 05-JA-122. Appellate Court No. 1-08-0247.
- 298882 THOMAS J. ESLER, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$990.00 attorney fees regarding People of the State of Illinois v. Angela W. Trial Court No. 05-JA-827. Appellate Court No. 1-08-2124.
- 298886 STEVEN O. ROSS, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,209.13 attorney fees regarding People of the State of Illinois v. Chevette V. Trial Court Nos. 07-JA-757 and 07-JA-758. Appellate Court No. 1-08-2061.
- 298907 THOMAS M. O'CONNELL, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,526.71 attorney fees regarding People of the State of Illinois v. Hilda K. Trial Court No. 03-JA-1164. Appellate Court No. 1-08-0923.
- 298950 MICHAEL E. QUINN, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,100.00 attorney fees regarding People of the State of Illinois v. Vernetta C. Trial Court Nos. 06-JA-462 and 06-JA-464. Appellate Court No. 1-07-1522.

| | |
|---|-------------|
| APPELLATE CASES APPROVED FISCAL YEAR 2009 TO PRESENT: | \$28,572.16 |
| APPELLATE CASES TO BE APPROVED: | \$10,311.59 |

NON-CAPITAL CASES

- 298875 FORENSIC BIOINFORMATICS SERVICES, INC., Fairborn, Ohio, presented by Marilyn A. Miller, Attorney, submitting an Order of Court for payment of \$1,500.00 expert witness fees for the defense of an indigent defendant, Robert Weeks. Indictment Nos. 06-CR-22965 and 06-CR-22966 (Non-Capital Cases).

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- 298885 JOHN C. GREENLEES, Attorney, submitting an Order of Court for payment of \$1,325.00 attorney fees for the defense of an indigent defendant, Harold Bean. Indictment No. 85-C-14715-01 (Non-Capital Case).
- 298887 MARK H. KUSATZKY, Attorney, submitting an Order of Court for payment of \$7,716.00 attorney fees for the defense of an indigent defendant, Carl Gustafson. Indictment No. 05-CR-80004 (Non-Capital Case).
- 298909 JOSEPH P. MCELLIGOTT, Attorney, submitting an Order of Court for payment of \$420.00 attorney fees for the defense of an indigent defendant, Larry Ross. Indictment No. 08-C6-61873-02 (Non-Capital Case).
- 298926 CRAIG C. CUNNINGHAM, Attorney, submitting an Order of Court for payment of \$2,881.25 attorney fees for the defense of an indigent defendant, Lynne Booker. Indictment Nos. 04-CR-13303-01 and 04-CR-13304-01 (Non-Capital Cases).
- 298951 KIRK WITHERSPOON, Ph.D., Moline, Illinois, presented by Stephen F. Potts, Attorney, submitting an Order of Court for payment of \$4,049.94 expert witness fees for the defense of an indigent defendant, Steven Ehrlich. Indictment No. 99-CR-80009 (Non-Capital Case).
- 298954 CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$4,029.96 attorney fees for the defense of an indigent defendant, Timothy Bell. Indictment No. 06-CR-80007 (Non-Capital Case).
- 298955 CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$3,527.74 attorney fees for the defense of an indigent defendant, Tommy Greenfield. Indictment No. 08-CR-80005 (Non-Capital Case).
- 298956 CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$3,844.78 attorney fees for the defense of an indigent defendant, Albert Martin. Indictment No. 08-CR-80013 (Non-Capital Case).
- 298958 CHICAGO-KENT COLLEGE OF LAW, presented by Daniel T. Coyne, Attorney, submitting an Order of Court for payment of \$7,525.00 attorney fees for the defense of an indigent defendant, Demetrius Hemphill. Indictment No. 07-CR-13034 (Non-Capital Case).
- 299012 MICHAEL A. UNGER, Attorney, submitting an Order of Court for payment of \$1,720.00 attorney fees for the defense of an indigent defendant, Randall Williams. Indictment No. 99-CR-80002 (Non-Capital Case).
- 299069 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for the defense of an indigent defendant, Steven Tunget. Indictment No. 04-CR-80005 (Non-Capital Case).

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| NON CAPITAL CASES APPROVED FISCAL YEAR 2009 TO PRESENT: | \$300,075.40 |
| NON-CAPITAL CASES TO BE APPROVED: | \$39,414.67 |

DOMESTIC RELATIONS CIVIL CONTEMPT CASES

- 298833 ROTMAN & ELOVITZ, LTD., presented by Michael H. Rotman, Attorney, submitting an Order of Court for payment of attorney fees totaling \$699.00 for the defense of an indigent defendant, Stanislav Turovsky. Domestic Relations Civil Contempt Case No. 06-D-079535.
- 298888 HELEN R. ROGAL, Attorney, submitting an Order of Court for payment of attorney fees totaling \$949.50 for the defense of an indigent defendant, Patrick Fleming. Domestic Relations Civil Contempt Case No. 99-D-51253.
- 298889 HELEN R. ROGAL, Attorney, submitting an Order of Court for payment of attorney fees totaling \$1,219.00 for the defense of an indigent defendant, Guillermo Lopez. Domestic Relations Civil Contempt Case No. 03-D-11086.
- 298891 HELEN R. ROGAL, Attorney, submitting an Order of Court for payment of attorney fees totaling \$1,368.61 for the defense of an indigent defendant, Lionell Pitchan. Domestic Relations Civil Contempt Case No. 96-D-013146.
- 298927 GERALD P. NORDGREN, Attorney, submitting an Order of Court for payment of attorney fees totaling \$980.00 for the defense of an indigent defendant, Troy Savage. Domestic Relations Civil Contempt Case No. 91-D-3660.
- 299010 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of attorney fees totaling \$1,497.50 for the defense of an indigent defendant, Quadree McClure. Domestic Relations Civil Contempt Case No. 00-D-55551.
- 299011 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of attorney fees totaling \$622.50 for the defense of an indigent defendant, Laura Messina. Domestic Relations Civil Contempt Case No. 02-D-530839.
- 299013 ROTMAN & ELOVITZ, LTD., presented by Michael H. Rotman, Attorney, submitting an Order of Court for payment of attorney fees totaling \$524.00 for the defense of an indigent defendant, Stephen Walker. Domestic Relations Civil Contempt Case No. 00-D-008205.

DOMESTIC RELATIONS CIVIL CONTEMPT CASES

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| APPROVED FISCAL YEAR 2009 TO PRESENT: | \$12,556.22 |
| DOMESTIC RELATIONS CIVIL CONTEMPT CASES TO BE APPROVED: | \$7,860.11 |

JUVENILE CASES

- 298820 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for the defense of an indigent defendant, Eugene Jones, Father, re: D. Jones, a minor. Indictment No. 99-JA-1278 (Juvenile Case).
- 298821 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,825.00 attorney fees for the defense of an indigent defendant, Anthony Longstreet, Father, re: F. Hodges and E. Longstreet, minors. Indictment Nos. 04-JA-1049 and 04-JA-1050 (Juvenile Cases).
- 298822 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$575.00 attorney fees for the defense of an indigent defendant, Marc Lindsey, Father, re: C. Cross, a minor. Indictment No. 98-JA-3849 (Juvenile Case).

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- 298823 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for the defense of an indigent defendant, Andre Jenkins, Father, re: K. Lester, a minor. Indictment No. 01-JA-1671 (Juvenile Case).
- 298824 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$437.50 attorney fees for the defense of an indigent defendant, Jerome Grimmage, Father, re: J. Grimmage, a minor. Indictment No. 02-JA-801 (Juvenile Case).
- 298825 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,075.00 attorney fees for the defense of an indigent defendant, Juli Sedwick, Mother, re: the Moore children, minors. Indictment Nos. 03-JA-564 and 03-JA-565 (Juvenile Cases).
- 298826 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$562.50 attorney fees for the defense of an indigent defendant, Terrance Craft, Father, re: Y. Craft-Ordonze, a minor. Indictment No. 07-JA-726 (Juvenile Case).
- 298828 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$305.00 attorney fees for the defense of an indigent defendant, Steven Spears, Father, re: the Spears children, minors. Indictment Nos. 03-JA-1687 and 03-JA-1689 (Juvenile Cases).
- 298829 QUEEN V. HERRING, Attorney, submitting an Order of Court for payment of \$4,012.50 attorney fees for the defense of an indigent defendant, E. Israel, a minor. Indictment No. 06-JD-60355 (Juvenile Case).
- 298830 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$1,075.00 attorney fees for the defense of an indigent defendant, Freddie Brooks, Father, re: T. Olden, a minor. Indictment No. 06-JA-280 (Juvenile Case).
- 298831 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for the defense of an indigent defendant, Jonathan Insley, Father, re: the Insley children, minors. Indictment Nos. 06-JA-710 and 06-JA-711 (Juvenile Cases).
- 298832 PATRICK K. SCHLEE, Attorney, submitting an Order of Court for payment of \$1,418.75 attorney fees for the defense of an indigent defendant, William Batey, Sr., Father, re: the Batey children, minors. Indictment Nos. 08-JA-00082 and 08-JA-00952 (Juvenile Cases).
- 298834 DONNA JEAN RAMEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$750.00 attorney fees for the defense of indigent defendants, the Johnson children, minors. Indictment Nos. 06-JA-777 and 06-JA-778 (Juvenile Cases).
- 298835 DONNA JEAN RAMEY, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for the defense of an indigent defendant, C. Chavez, a minor. Indictment No. 08-JD-2743 (Juvenile Case).
- 298836 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$975.00 attorney fees for the defense of an indigent defendant, Henry Clark, Father, re: N. Clark, a minor. Indictment No. 05-JA-343 (Juvenile Case).
- 298837 MICHAEL J. VITALE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$425.00 attorney fees for the defense of indigent defendants, S. Spears and S. Walton, minors. Indictment Nos. 03-JA-1434 and 03-JA-1435 (Juvenile Cases).

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- 298838 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$1,300.00 attorney fees for the defense of an indigent defendant, James Bridgewater, Father, re: V. Bourne, a minor. Indictment No. 08-JA-235 (Juvenile Case).
- 298839 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, Maurice Jones, Father, re: N. Williams, a minor. Indictment No. 07-JA-111 (Juvenile Case).
- 298840 WILLIAM A. LONDON, Attorney, submitting an Order of Court for payment of \$2,932.50 attorney fees for the defense of an indigent defendant, Latasha Olmetti, Mother, re: J. Nichols, a minor. Indictment No. 05-JA-991 (Juvenile Case).
- 298841 WILLIAM A. LONDON, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$2,167.50 attorney fees for the defense of indigent defendants, the Bain children, minors. Indictment Nos. 08-JA-00287 and 08-JA-00288 (Juvenile Cases).
- 298842 WILLIAM A. LONDON, Attorney, submitting an Order of Court for payment of \$1,972.50 attorney fees for the defense of an indigent defendant, O. Vela, a minor. Indictment Nos. 07-JD-02471 and 08-JD-02056 (Juvenile Cases).
- 298843 WILLIAM A. LONDON, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$915.00 attorney fees for the defense of an indigent defendant, D. Hayes, a minor. Indictment No. 01-JA-2470 (Juvenile Case).
- 298844 WILLIAM A. LONDON, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for the defense of an indigent defendant, John Rubio, Father, re: G. Rubio, a minor. Indictment No. 06-JA-368 (Juvenile Case).
- 298845 WILLIAM A. LONDON, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$340.00 attorney fees for the defense of an indigent defendant, A. Mitchell, a minor. Indictment No. 01-JA-02273 (Juvenile Case).
- 298846 WILLIAM A. LONDON, Attorney, submitting an Order of Court for payment of \$952.50 attorney fees for the defense of an indigent defendant, Marie Joseph, Mother, re: J. Davis, a minor. Indictment No. 06-JA-00086 (Juvenile Case).
- 298847 WILLIAM A. LONDON, Attorney, submitting an Order of Court for payment of \$295.00 attorney fees for the defense of an indigent defendant, Carole Struck, Mother, re: the Struck children, minors. Indictment Nos. 03-JA-192 and 03-JA-193 (Juvenile Cases).
- 298848 WILLIAM A. LONDON, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$770.00 attorney fees for the defense of indigent defendants, A. Thompson and A. Washington, minors. Indictment Nos. 95-JA-4816 and 99-JA-205 (Juvenile Cases).
- 298849 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for the defense of an indigent defendant, Lamont Allen, Father, re: the Allen children, minors. Indictment Nos. 06-JA-00796 and 06-JA-00797 (Juvenile Cases).
- 298850 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$568.75 attorney fees for the defense of an indigent defendant, Cornelius Edarenor, Father, re: A. Edarenor and A. White, minors. Indictment Nos. 05-JA-481 and 06-JA-633 (Juvenile Cases).

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- 298851 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$1,031.25 attorney fees for the defense of an indigent defendant, Juan Aranda, Father, re: the Aranda children, minors. Indictment Nos. 07-JA-1073 and 07-JA-1074 (Juvenile Cases).
- 298852 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$1,025.00 attorney fees for the defense of an indigent defendant, Robert Lee Crafton, Father, re: the Coopwood, Crafton and Johnson children, minors. Indictment Nos. 07-JA-916, 08-JA-789, 08-JA-790, 08-JA-791 and 08-JA-792 (Juvenile Cases).
- 298853 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for the defense of an indigent defendant, Marlana Williams, Mother, re: the Montgomery and Williams children, minors. Indictment Nos. 05-JA-639, 05-JA-640, 05-JA-641 and 06-JA-352 (Juvenile Cases).
- 298854 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$237.50 attorney fees for the defense of an indigent defendant, Laura Mangianmeli, Mother, re: the Mangianmeli children, minors. Indictment Nos. 02-JA-01388 and 02-JA-01389 (Juvenile Cases).
- 298855 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for the defense of an indigent defendant, Antonio Miller, Father, re: the Miller children, minors. Indictment Nos. 04-JA-663 and 04-JA-664 (Juvenile Cases).
- 298856 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$330.00 attorney fees for the defense of an indigent defendant, Lance Wrightsell, Father, re: L. Wrightsell, a minor. Indictment No. 98-JA-02401 (Juvenile Case).
- 298857 JUDITH HANNAH, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$712.50 attorney fees for the defense of an indigent defendant, T. Jenkins, a minor. Indictment No. 08-JA-639 (Juvenile Case).
- 298858 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$362.50 attorney fees for the defense of an indigent defendant, Veronica Harris, Mother, re: the Harris, Grimmage and Nash children, minors. Indictment Nos. 02-JA-00797, 02-JA-00800, 02-JA-00801 and 02-JA-00802 (Juvenile Cases).
- 298860 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$265.00 attorney fees for the defense of an indigent defendant, Maurice Vortez, Father, re: M. Grant, a minor. Indictment No. 07-JA-00620 (Juvenile Case).
- 298861 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$443.75 attorney fees for the defense of an indigent defendant, Fred Yoakum, Father, re: P. Wynn, a minor. Indictment No. 07-JA-00775 (Juvenile Case).
- 298862 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,770.00 attorney fees for the defense of an indigent defendant, Thomas Harvest, Guardian, re: D. Harvest, a minor. Indictment No. 08-JD-2091 (Juvenile Case).
- 298863 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$1,350.00 attorney fees for the defense of an indigent defendant, Ben Figgures, Father, re: B. Figgures, a minor. Indictment No. 05-JA-1237 (Juvenile Case).

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- 298864 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$223.75 attorney fees for the defense of an indigent defendant, Latanya Adams, Mother, re: C. Dean, a minor. Indictment No. 04-JA-001312 (Juvenile Case).
- 298865 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,575.00 attorney fees for the defense of an indigent defendant, Tuesday Simpson, Mother, re: D. Jones, a minor. Indictment No. 99-JA-01278 (Juvenile Case).
- 298866 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$432.50 attorney fees for the defense of an indigent defendant, Lejardin Sterling, Mother, re: C. Sterling, a minor. Indictment No. 08-JA-00453 (Juvenile Case).
- 298867 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,325.00 attorney fees for the defense of an indigent defendant, Shelanise Nicholas, Mother, re: the Walker children, minors. Indictment Nos. 07-JA-1021, 07-JA-1022, 07-JA-1023, 07-JA-1024 and 08-JA-0627 (Juvenile Cases).
- 298868 MAUREEN T. MURPHY, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, Tina Insley, Mother, re: the Insley children, minors. Indictment Nos. 06-JA-00710 and 06-JA-00711 (Juvenile Cases).
- 298869 MELINDA MACGREGOR, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$425.00 attorney fees for the defense of indigent defendants, the Hardy and Woolfolk children, minors. Indictment Nos. 00-JA-980, 00-JA-981 and 00-JA-982 (Juvenile Cases).
- 298870 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$550.00 attorney fees for the defense of an indigent defendant, Tatiana Smith, Mother, re: D. Allen, a minor. Indictment No. 08-JA-1123 (Juvenile Case).
- 298871 PATRICK K. SCHLEE, Attorney, submitting an Order of Court for payment of \$443.75 attorney fees for the defense of an indigent defendant, Dawn Hauslein, Mother, re: M. Geiger, a minor. Indictment No. 07-JA-732 (Juvenile Case).
- 298872 ASHONTA C. RICE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of an indigent defendant, D. Allen, a minor. Indictment No. 08-JA-1123 (Juvenile Case).
- 298873 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$531.25 attorney fees for the defense of an indigent defendant, Melissa Brown, Mother, re: R. Reyes, a minor. Indictment No. 06-JA-00689 (Juvenile Case).
- 298874 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$1,375.00 attorney fees for the defense of an indigent defendant, Ronald Livingston, Father, re: D. Kearney, a minor. Indictment No. 04-JA-00990 (Juvenile Case).
- 298878 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$416.25 attorney fees for the defense of an indigent defendant, Earl Kelly, Father, re: A. Floyd, a minor. Indictment No. 07-JA-174 (Juvenile Case).

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- 298879 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,363.75 attorney fees for the defense of an indigent defendant, Ricky Carter, Father, re: R. Carter, a minor. Indictment No. 08-JA-00005 (Juvenile Case).
- 298880 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$900.00 attorney fees for the defense of an indigent defendant, Sunceria Taylor, Mother, re: R. Finley and S. Nickerson, minors. Indictment Nos. 02-JA-0968 and 02-JA-0969 (Juvenile Cases).
- 298881 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$502.50 attorney fees for the defense of an indigent defendant, Charles Taylor, Father, re: E. Staples and C. Taylor, minors. Indictment Nos. 04-JA-674 and 06-JA-719 (Juvenile Cases).
- 298883 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$152.50 attorney fees for the defense of an indigent defendant, M. Wilson-Smith, a minor. Indictment No. 03-JA-1554 (Juvenile Case).
- 298884 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$995.32 attorney fees for the defense of an indigent defendant, Michael Witt, Father, re: M. Sanchez, a minor. Indictment No. 08-JA-0111 (Juvenile Case).
- 298890 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, Maurice Johnson, Father, re: A. Phillips, a minor. Indictment No. 08-JA-00340 (Juvenile Case).
- 298892 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, April Nash Truesdell, Mother, re: D. Nash, a minor. Indictment No. 94-JA-07206 (Juvenile Case).
- 298893 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for the defense of an indigent defendant, Candace Simmons, Mother, re: the Simmons children, minors. Indictment Nos. 96-JA-03738 and 96-JA-03739 (Juvenile Cases).
- 298894 PAUL S. KAYMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$950.00 attorney fees for the defense of an indigent defendant, J. Purdue, a minor. Indictment No. 03-JA-00884 (Juvenile Case).
- 298895 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for the defense of an indigent defendant, Alvin Wofford, Father, re: M. Handcox, a minor. Indictment No. 07-JA-00636 (Juvenile Case).
- 298896 MICHAEL J. VITALE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$312.50 attorney fees for the defense of an indigent defendant, J. Vance, a minor. Indictment No. 03-JA-101 (Juvenile Case).
- 298897 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$687.50 attorney fees for the defense of an indigent defendant, Andre Session, Father, re: the Session children, minors. Indictment Nos. 07-JA-0006, 07-JA-0007 and 07-JA-0009 (Juvenile Cases).

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- 298898 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$562.50 attorney fees for the defense of an indigent defendant, Gregory Rayford, Father, re: C. Rayford, a minor. Indictment No. 06-JA-399 (Juvenile Case).
- 298899 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$850.00 attorney fees for the defense of an indigent defendant, Henry Pagan, Father, re: S. Pagan, a minor. Indictment No. 08-JA-053 (Juvenile Case).
- 298900 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$318.75 attorney fees for the defense of an indigent defendant, Jesse Stapleton, Father, re: L. Mobley, a minor. Indictment No. 08-JA-1019 (Juvenile Case).
- 298901 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$925.00 attorney fees for the defense of an indigent defendant, Arthur Spears, Father, re: the Howard and Taylor children, minors. Indictment Nos. 08-JA-648 and 08-JA-649 (Juvenile Cases).
- 298902 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$617.50 attorney fees for the defense of an indigent defendant, Johnny Washington, Father, re: the Rice children, minors. Indictment Nos. 08-JA-666 and 08-JA-667 (Juvenile Cases).
- 298903 BRIAN M. COLLINS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, L. Gage, a minor. Indictment No. 06-JA-0646 (Juvenile Case).
- 298904 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$567.50 attorney fees for the defense of an indigent defendant, Natanya Ford, Mother, re: the Brown and Ford children, minors. Indictment Nos. 06-JA-00305, 06-JA-00306 and 06-JA-00307 (Juvenile Cases).
- 298905 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$2,045.00 attorney fees for the defense of an indigent defendant, Nathaniel Boyce, Sr., Father, re: N. Boyce, a minor. Indictment No. 06-JA-644 (Juvenile Case).
- 298906 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$444.17 attorney fees for the defense of an indigent defendant, Lee Davis, Father, re: the Davis children, minors. Indictment Nos. 00-JA-1851, 00-JA-1852, 00-JA-1854, 00-JA-1855 and 05-JA-86 (Juvenile Cases).
- 298908 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$663.34 attorney fees for the defense of an indigent defendant, Angel Leon, Father, re: A. Leon, a minor. Indictment No. 07-JA-929 (Juvenile Case).
- 298910 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$846.25 attorney fees for the defense of an indigent defendant, Deborah Driskill, Mother, re: L. Russell, a minor. Indictment No. 99-JA-2817 (Juvenile Case).
- 298911 THOMAS M. O'CONNELL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$127.50 attorney fees for the defense of an indigent defendant, R. Hamilton, a minor. Indictment No. 04-JA-338 (Juvenile Case).

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- 298912 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$511.25 attorney fees for the defense of an indigent defendant, Christopher Payne, Father, re: C. Payne, a minor. Indictment No. 04-JA-700 (Juvenile Case).
- 298913 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$1,235.00 attorney fees for the defense of an indigent defendant, Ruby Gadison, Guardian, re: the Bush children, minors. Indictment Nos. 95-JA-7247, 95-JA-7248 and 96-JA-1827 (Juvenile Cases).
- 298914 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$1,190.00 attorney fees for the defense of an indigent defendant, Amin Mohammed, Father, re: N. Mohammed, a minor. Indictment No. 07-JA-331 (Juvenile Case).
- 298915 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$798.75 attorney fees for the defense of an indigent defendant, Rose Berry, Mother, re: D. Callon, a minor. Indictment No. 06-JA-109 (Juvenile Case).
- 298916 THOMAS M. O'CONNELL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$555.00 attorney fees for the defense of an indigent defendant, T. Wood, a minor. Indictment No. 07-JA-863 (Juvenile Case).
- 298917 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$483.75 attorney fees for the defense of an indigent defendant, Jimmy Cunnings, Father, re: J. Cunnings, a minor. Indictment No. 05-JA-629 (Juvenile Case).
- 298918 THOMAS M. O'CONNELL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,447.50 attorney fees for the defense of indigent defendants, F. Hodges and E. Longstreet, minors. Indictment Nos. 04-JA-1049 and 04-JA-1050 (Juvenile Cases).
- 298919 THOMAS M. O'CONNELL, Attorney, submitting an Order of Court for payment of \$507.50 attorney fees for the defense of an indigent defendant, Tameyka Hunt, Mother, re: R. Hunt and J. Pouncey, minors. Indictment Nos. 01-JA-2026 and 02-JA-16 (Juvenile Cases).
- 298920 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$1,262.50 attorney fees for the defense of an indigent defendant, Caprise Manney, Mother, re: the Manney children, minors. Indictment Nos. 01-JA-02076 and 01-JA-02077 (Juvenile Cases).
- 298921 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,050.00 attorney fees for the defense of an indigent defendant, Samuel Hammel, Father, re: the Hammel children, minors. Indictment Nos. 04-JA-1073 and 04-JA-1074 (Juvenile Cases).
- 298922 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,275.00 attorney fees for the defense of an indigent defendant, Lanell Russell, Mother, re: R. Johnson and D. Strickland, minors. Indictment Nos. 03-JA-1356 and 03-JA-1357 (Juvenile Cases).
- 298923 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$925.00 attorney fees for the defense of an indigent defendant, Laquina Sharp, Father, re: the Sharp children, minors. Indictment Nos. 07-JA-213 and 07-JA-646 (Juvenile Cases).

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- 298924 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$575.00 attorney fees for the defense of an indigent defendant, Manuel Bracey, Father, re: E. Milsap, a minor. Indictment No. 00-JA-1461 (Juvenile Case).
- 298925 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$2,318.75 attorney fees for the defense of an indigent defendant, Constance Ashley, Mother, re: the Delashment and Glenn children, minors. Indictment Nos. 05-JA-772, 05-JA-773 and 05-JA-774 (Juvenile Cases).
- 298928 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$217.50 attorney fees for the defense of an indigent defendant, Sylvia Arrellano, Mother, re: the Arrellano children, minors. Indictment Nos. 07-JA-1052 and 07-JA-1053 (Juvenile Cases).
- 298929 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$270.00 attorney fees for the defense of indigent defendants, the Broadnax children, minors. Indictment Nos. 96-JA-6470 and 96-JA-6471 (Juvenile Cases).
- 298930 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$367.50 attorney fees for the defense of indigent defendants, Kevin Jackson and Curtis McGhee, Fathers, re: N. Hawkins and E. Hawkins-McGhee, minors. Indictment Nos. 05-JA-801 and 08-JA-1 (Juvenile Cases).
- 298959 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$437.50 attorney fees for the defense of an indigent defendant, Antoine Dunlap, Father, re: C. Dunlap, a minor. Indictment No. 04-JA-0652 (Juvenile Case).
- 298960 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$900.00 attorney fees for the defense of an indigent defendant, Amy Bonet, Mother, re: O. Bonet, a minor. Indictment No. 06-JA-00793 (Juvenile Case).
- 298963 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$1,175.00 attorney fees for the defense of an indigent defendant, Julie Doll, Mother, re: the Burton and Schumann children, minors. Indictment Nos. 04-JA-1491, 04-JA-1492 and 04-JA-1493 (Juvenile Cases).
- 298966 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$1,340.00 attorney fees for the defense of an indigent defendant, M. Ordonez, a minor. Indictment No. 08-JD-02493 (Juvenile Case).
- 298967 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$1,038.75 attorney fees for the defense of an indigent defendant, Librado Sanchez, Sr., Father, re: the Sanchez children, minors. Indictment Nos. 05-JA-00779, 05-JA-00780 and 05-JA-00781 (Juvenile Cases).
- 298968 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$455.00 attorney fees for the defense of an indigent defendant, Julia Collins, Mother, re: A. Collins, a minor. Indictment No. 06-JA-00576 (Juvenile Case).
- 298969 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$1,540.00 attorney fees for the defense of an indigent defendant, Troy Gibson, Father, re: T. Gibson, a minor. Indictment No. 07-JA-00074 (Juvenile Case).

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- 298970 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$850.00 attorney fees for the defense of an indigent defendant, Renee Morrison, Mother, re: the Funches children, minors. Indictment Nos. 03-JA-1013, 03-JA-1014 and 03-JA-1015 (Juvenile Cases).
- 298971 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$812.50 attorney fees for the defense of an indigent defendant, Angela Moore, Mother, re: D. Moore, a minor. Indictment No. 08-JA-268 (Juvenile Case).
- 298972 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$787.50 attorney fees for the defense of an indigent defendant, Aryanna Mancilla, Mother, re: A. Torres, a minor. Indictment No. 06-JA-866 (Juvenile Case).
- 298973 BRUCE H. BORNSTEIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,125.00 attorney fees for the defense of indigent defendants, the Thomas children, minors. Indictment Nos. 05-JA-283 and 06-JA-00068 (Juvenile Cases).
- 298974 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for the defense of an indigent defendant, Henry Paine, Sr., Father, re: H. Paine, a minor. Indictment No. 01-JA-1222 (Juvenile Case).
- 298975 SAMUEL N. WARSAWSKY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$937.50 attorney fees for the defense of indigent defendants, the Brown and Ford children, minors. Indictment Nos. 06-JA-305, 06-JA-306 and 06-JA-307 (Juvenile Cases).
- 298976 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for the defense of an indigent defendant, Verona Washington, re: the Washington children, minors. Indictment Nos. 05-JA-992, 05-JA-993, 05-JA-994, 05-JA-995, 05-JA-996, 05-JA-997, 05-JA-998, 05-JA-999 and 05-JA-1001 (Juvenile Cases).
- 298977 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$505.32 attorney fees for the defense of an indigent defendant, Jasper Jackson, Father, re: C. English, a minor. Indictment No. 05-JA-1196 (Juvenile Case).
- 298978 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for the defense of an indigent defendant, Allen Anderson, Mother, re: T. Anderson, a minor. Indictment No. 04-JA-1179 (Juvenile Case).
- 298979 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$922.42 attorney fees for the defense of an indigent defendant, Shajuan McGee, Mother, re: K. Howard and V. Totty, minors. Indictment Nos. 02-JA-0895 and 02-JA-0896 (Juvenile Cases).
- 298980 BRUCE H. BORNSTEIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$475.00 attorney fees for the defense of an indigent defendant, S. Bond, a minor. Indictment No. 98-JA-3944 (Juvenile Case).
- 298981 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of an indigent defendant, Amelia Hunter, Mother, re: the Dabney children, minors. Indictment Nos. 04-JA-684 and 04-JA-685 (Juvenile Cases).

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- 298982 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$1,572.36 attorney fees for the defense of an indigent defendant, Steven Johnson, Father, re: the Johnson children, minors. Indictment Nos. 08-JA-500, 08-JA-501, 08-JA-502, 08-JA-503, 08-JA-504 and 08-JA-505 (Juvenile Cases).
- 298983 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for the defense of an indigent defendant, Takara Odom, Mother, re: E. Odom, a minor. Indictment No. 05-JA-1198 (Juvenile Case).
- 298984 BRUCE H. BORNSTEIN, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for the defense of an indigent defendant, Van Ngo, Mother, re: J. Thai, a minor. Indictment No. 05-JA-1002 (Juvenile Case).
- 298985 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,241.46 attorney fees for the defense of an indigent defendant, Margarito Saldana, Father, re: the Saldana children, minors. Indictment Nos. 07-JA-057 and 07-JA-058 (Juvenile Cases).
- 298986 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$347.75 attorney fees for the defense of an indigent defendant, Tereatha Guy, Mother, re: Y. McGowan, a minor. Indictment No. 08-JA-531 (Juvenile Case).
- 298987 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$446.38 attorney fees for the defense of an indigent defendant, Aaron Jones, Father, re: the Jones and Merritt children, minors. Indictment Nos. 06-JA-0050, 06-JA-0051 and 06-JA-0052 (Juvenile Cases).
- 298988 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,145.50 attorney fees for the defense of an indigent defendant, Charles Henderson, Father, re: I. Blake, a minor. Indictment No. 03-JA-00090 (Juvenile Case).
- 298989 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$2,105.75 attorney fees for the defense of an indigent defendant, Everlene Hemmingway, former Guardian, re: the Hutchins children, minors. Indictment Nos. 98-JA-3268 and 98-JA-3269 (Juvenile Cases).
- 298990 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,160.25 attorney fees for the defense of an indigent defendant, Robert Townes, Father, re: R. Townes and C. Wilson, minors. Indictment Nos. 05-JA-501 and 05-JA-503 (Juvenile Cases).
- 298991 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$1,325.75 attorney fees for the defense of an indigent defendant, Sean O'Donnell, Sr., Father, re: the O'Donnell children, minors. Indictment Nos. 05-JA-323 and 05-JA-325 (Juvenile Cases).
- 298992 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for the defense of an indigent defendant, Harold Carlson, Father, re: L. Boyer, a minor. Indictment No. 00-JA-2057 (Juvenile Case).

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- 298993 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for the defense of an indigent defendant, Titus Jude, Father, re: T. Jude, a minor. Indictment No. 05-JA-130 (Juvenile Case).
- 298994 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$693.75 attorney fees for the defense of an indigent defendant, Corrine Stewart, Private Guardian, re: the Stewart children, minors. Indictment Nos. 96-JA-2254, 96-JA-2255, 96-JA-2256, 96-JA-2257 and 96-JA-2260 (Juvenile Cases).
- 298995 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, Araceli Lopez, Mother, re: D. Delarosa and D. Morales, minors. Indictment Nos. 08-JA-01014 and 08-JA-01015 (Juvenile Cases).
- 298996 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,188.16 attorney fees for the defense of indigent defendants, G. Knight and A. Smith, minors. Indictment Nos. 05-JA-861 and 05-JA-862 (Juvenile Cases).
- 298997 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$836.25 attorney fees for the defense of an indigent defendant, Maurice Thorne, Father, re: the Mansfield and Thorne children, minors. Indictment Nos. 93-JA-2481, 93-JA-2482 and 93-JA-2483 (Juvenile Cases).
- 298998 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,610.11 attorney fees for the defense of an indigent defendant, L. Cusick, a minor. Indictment No. 07-JA-823 (Juvenile Case).
- 298999 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$957.85 attorney fees for the defense of an indigent defendant, A. Martinez, a minor. Indictment No. 06-JA-786 (Juvenile Case).
- 299000 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$985.00 attorney fees for the defense of indigent defendants, the Head, Kelly and Tidwell children, minors. Indictment Nos. 03-JA-204, 06-JA-113 and 07-JA-559 (Juvenile Cases).
- 299001 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,337.50 attorney fees for the defense of an indigent defendant, Chlemmie Calvin, Mother, re: the Romando children, minors. Indictment Nos. 98-JA-1209 and 03-JA-0421 (Juvenile Cases).
- 299002 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$887.50 attorney fees for the defense of an indigent defendant, Anthony Burnett, Father, re: I. Burnett, a minor. Indictment No. 08-JA-909 (Juvenile Case).
- 299003 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$250.00 attorney fees for the defense of an indigent defendant, Michael Hayes, Father, re: R. Hayes, a minor. Indictment No. 99-JA-2415 (Juvenile Case).
- 299004 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$550.00 attorney fees for the defense of an indigent defendant, Michael McKinzie, Father, re: J. Moten, a minor. Indictment No. 08-JA-1056 (Juvenile Case).

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- 299005 RAYMOND A. MORRISSEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$637.50 attorney fees for the defense of an indigent defendant, J. Sanders, a minor. Indictment No. 03-JA-949 (Juvenile Case).
- 299006 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$1,212.50 attorney fees for the defense of an indigent defendant, Laura Braswell, Mother, re: the Braswell children, minors. Indictment Nos. 04-JA-311 and 04-JA-312 (Juvenile Cases).
- 299007 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$187.50 attorney fees for the defense of an indigent defendant, I. Green, a minor. Indictment No. 08-JA-738 (Juvenile Case).
- 299008 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$432.50 attorney fees for the defense of an indigent defendant, Patricia Watson, Mother, re: the Watson children, minors. Indictment Nos. 99-JA-2379, 00-JA-717 and 00-JA-718 (Juvenile Cases).
- 299009 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$950.00 attorney fees for the defense of an indigent defendant, Angel Vasquez, Father, re: the Vasquez children, minors. Indictment Nos. 01-JA-1160, 01-JA-1161 and 01-JA-1162 (Juvenile Cases).
- 299014 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$580.64 attorney fees for the defense of an indigent defendant, Sherod Murphy, Father, re: S. Murphy, a minor. Indictment No. 05-JA-858 (Juvenile Case).
- 299015 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$190.00 attorney fees for the defense of an indigent defendant, Dale Wells, Sr., Father, re: D. Wells, a minor. Indictment No. 97-JA-1953 (Juvenile Case).
- 299016 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for the defense of an indigent defendant, Darius McSwain, Father, re: J. McSwain, a minor. Indictment No. 08-JA-00178 (Juvenile Case).
- 299017 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, Melanie Macharg, Mother, re: the Macharg children, minors. Indictment Nos. 07-JA-00035, 07-JA-00036 and 07-JA-00037 (Juvenile Cases).
- 299018 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for the defense of an indigent defendant, Tyrone McKinney, Father, re: T. McKinney, a minor. Indictment No. 04-JA-00755 (Juvenile Case).
- 299019 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,837.50 attorney fees for the defense of an indigent defendant, Ernie Davis, Father, re: B. Haynes, a minor. Indictment No. 02-JA-00257 (Juvenile Case).
- 299020 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$1,212.50 attorney fees for the defense of an indigent defendant, Rebecca Thomas, Mother, re: the Dortch and Thomas children, minors. Indictment Nos. 07-JA-441, 07-JA-442 and 07-JA-443 (Juvenile Cases).

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- 299021 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of an indigent defendant, Keith Giles, Father, re: T. Jenkins, a minor. Indictment No. 03-JA-1526 (Juvenile Case).
- 299023 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$367.50 attorney fees for the defense of an indigent defendant, Edward Hutson, Father, re: E. Nash, a minor. Indictment No. 02-JA-00987 (Juvenile Case).
- 299024 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$931.25 attorney fees for the defense of an indigent defendant, M. Dyson, a minor. Indictment Nos. 08-JD-4079, 08-JD-4260 and 08-JD-4261 (Juvenile Cases).
- 299035 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for the defense of an indigent defendant, R. Parker, a minor. Indictment No. 08-JD-02652 (Juvenile Case).
- 299036 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$1,700.00 attorney fees for the defense of an indigent defendant, Daphne Rice, Mother, re: the Rice children, minors. Indictment Nos. 03-JA-335, 03-JA-336, 03-JA-337 and 03-JA-338 (Juvenile Cases).
- 299037 DONNA L. RYDER, Attorney, submitting an Order of Court for payment of \$590.00 attorney fees for the defense of an indigent defendant, Christopher Mitchell, Father, re: C. Mitchell, a minor. Indictment No. 03-JA-572 (Juvenile Case).
- 299038 DONNA L. RYDER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$125.00 attorney fees for the defense of indigent defendants, the Sellers children, minors. Indictment Nos. 06-JA-753 and 06-JA-754 (Juvenile Cases).
- 299039 DONNA L. RYDER, Attorney, submitting an Order of Court for payment of \$1,877.38 attorney fees for the defense of an indigent defendant, Matthew Horton, Father, re: the Horton children, minors. Indictment Nos. 07-JA-354, 07-JA-355 and 08-JA-809 (Juvenile Cases).
- 299040 DONNA L. RYDER, Attorney, submitting an Order of Court for payment of \$1,254.67 attorney fees for the defense of an indigent defendant, Chevette Valentine, Mother, re: D. Pippen and D. Valentine, minors. Indictment Nos. 07-JA-757 and 07-JA-758 (Juvenile Cases).
- 299041 MARI-ROSE MCMANUS, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for the defense of an indigent defendant, Mary Paczesny, Mother, re: D. Paczesny, a minor. Indictment No. 07-JA-796 (Juvenile Case).
- 299042 GREGORY M. BALDWIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,112.50 attorney fees for the defense of indigent defendants, S. Clay and A. Miller, minors. Indictment Nos. 08-JA-0009 and 08-JA-0010 (Juvenile Cases).
- 299043 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of an indigent defendant, Marcus Johnson, Father, re: the Jackson children, minors. Indictment Nos. 01-JA-383 and 01-JA-384 (Juvenile Cases).

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- 299044 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$1,185.00 attorney fees for the defense of an indigent defendant, Tina Bayliss, Mother, re: the Hopson and King children, minors. Indictment Nos. 06-JA-00763, 06-JA-00764 and 06-JA-00765 (Juvenile Cases).
- 299045 BRADLEY C. GERLACH, Attorney, submitting an Order of Court for payment of \$1,925.00 attorney fees for the defense of an indigent defendant, Alicia Murray, Mother, re: D. Murray, a minor. Indictment No. 07-JA-00293 (Juvenile Case).
- 299047 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$474.07 attorney fees for the defense of an indigent defendant, Diana Warda, former Guardian, re: B. Estrada, a minor. Indictment No. 94-JA-5945 (Juvenile Case).
- 299070 MICHAEL G. CAWLEY, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for the defense of an indigent defendant, Janetra Christian, Mother, re: the Christian and Latham children, minors. Indictment Nos. 06-JA-00491, 06-JA-00492 and 06-JA-00493 (Juvenile Cases).
- 299071 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$1,341.25 attorney fees for the defense of an indigent defendant, Dexter Byndum, Father, re: the Byndum children, minors. Indictment Nos. 08-JA-382, 08-JA-383 and 08-JA-384 (Juvenile Cases).
- 299072 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$1,112.00 attorney fees for the defense of an indigent defendant, Sharmaine Smith, Mother, re: the Smith children, minors. Indictment Nos. 07-JA-1112, 07-JA-1113 and 07-JA-1114 (Juvenile Cases).
- 299073 DEAN C. MORASK, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$100.00 attorney fees for the defense of indigent defendants, the Longstreet children, minors. Indictment Nos. 05-JA-273, 05-JA-274 and 05-JA-275 (Juvenile Cases).
- 299074 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, J. Craig, a minor. Indictment No. 03-JA-1472 (Juvenile Case).
- 299075 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, Marketta Sconyers, Mother, re: P. Brown, a minor. Indictment No. 03-JA-00493 (Juvenile Case).
- 299076 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$612.50 attorney fees for the defense of an indigent defendant, Sylvester Brinson, Father, re: the Davis children, minors. Indictment Nos. 94-JA-8651, 94-JA-8652 and 94-JA-8653 (Juvenile Cases).
- 299077 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$487.50 attorney fees for the defense of an indigent defendant, R. Lowe, a minor. Indictment No. 98-JA-02408 (Juvenile Case).

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- 299078 STUART JOSHUA HOLT, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of indigent defendants, the Mosley children, minors. Indictment Nos. 01-JA-1461 and 01-JA-1462 (Juvenile Cases).
- 299079 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$620.01 attorney fees for the defense of an indigent defendant, Frank Evans, Father, re: F. Halmon, a minor. Indictment No. 08-JA-726 (Juvenile Case).
- 299080 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$1,458.77 attorney fees for the defense of an indigent defendant, Janice Dorbin, Mother, re: S. Jordan, a minor. Indictment No. 06-JA-31 (Juvenile Case).
- 299081 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,175.00 attorney fees for the defense of an indigent defendant, Robert Plisic, Father, re: M. Plisic, a minor. Indictment No. 07-JD-5622 (Juvenile Case).
- 299082 MELINDA MACGREGOR, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,712.50 attorney fees for the defense of indigent defendants, the Smith children, minors. Indictment Nos. 08-JA-229 and 08-JA-747 (Juvenile Cases).
- 299083 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$875.00 attorney fees for the defense of an indigent defendant, Rachelle Swarn, Mother, re: the Thomas children, minors. Indictment Nos. 05-JA-00283 and 06-JA-00068 (Juvenile Cases).
- 299084 GREGORY M. BALDWIN, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for the defense of an indigent defendant, Charles Sartin, Father, re: S. Sartin, a minor. Indictment No. 02-JA-0718 (Juvenile Case).
- 299085 GILBERT C. SCHUMM, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$912.50 attorney fees for the defense of an indigent defendant, D. Funches, a minor. Indictment No. 08-JD-5303 (Juvenile Case).
- 299086 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$1,150.00 attorney fees for the defense of an indigent defendant, Jearleane Hall, Mother, re: S. Hall, a minor. Indictment No. 08-JA-896 (Juvenile Case).
- 299087 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$556.25 attorney fees for the defense of an indigent defendant, Quincy Smith, Father, re: the Smith children, minors. Indictment Nos. 01-JA-157 and 01-JA-158 (Juvenile Cases).
- 299088 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for the defense of an indigent defendant, Agripina Roman, Mother, re: the Nava and Vazquez children, minors. Indictment Nos. 07-JA-242, 07-JA-243, 07-JA-244, 07-JA-245, 07-JA-246 and 07-JA-247 (Juvenile Cases).
- 299089 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$956.25 attorney fees for the defense of an indigent defendant, Andre Jackson, Father, re: C. Jackson, a minor. Indictment No. 05-JA-1090 (Juvenile Case).

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- 299090 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$643.75 attorney fees for the defense of an indigent defendant, Frederick Pettis, Father, re: R. Pettis, a minor. Indictment No. 07-JA-1006 (Juvenile Case).
- 299091 RAYMOND A. MORRISSEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$975.00 attorney fees for the defense of indigent defendants, the Garrett children, minors. Indictment Nos. 06-JA-356, 06-JA-357, 06-JA-358 and 07-JA-56 (Juvenile Cases).
- 299092 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$287.50 attorney fees for the defense of an indigent defendant, Deshawn Patten, Sr., Father, re: D. Patton, a minor. Indictment No. 08-JA-00897 (Juvenile Case).
- 299093 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$1,293.75 attorney fees for the defense of an indigent defendant, Steve Williams, Father, re: L. Williams, a minor. Indictment No. 08-JA-811 (Juvenile Case).
- 299094 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$1,437.50 attorney fees for the defense of an indigent defendant, Kenneth Smith, Father, re: M. Black, a minor. Indictment No. 08-JA-39 (Juvenile Case).
- 299095 MAUREEN T. MURPHY, Attorney, submitting an Order of Court for payment of \$931.25 attorney fees for the defense of an indigent defendant, Andre Holt, Sr., Father, re: the Holt children, minors. Indictment Nos. 02-JA-388 and 02-JA-391 (Juvenile Cases).
- 299096 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$1,993.75 attorney fees for the defense of an indigent defendant, Ferdinand Davis, Father, re: T. Davis, a minor. Indictment No. 05-JA-771 (Juvenile Case).
- 299097 RODNEY W. STEWART, Attorney, submitting an Order of Court for payment of \$2,000.00 attorney fees for the defense of an indigent defendant, Latoya Thomas, Mother, re: the Blue and Thomas children, minors. Indictment Nos. 00-JA-1515, 00-JA-1516, 00-JA-1517, 00-JA-1518 and 00-JA-1519 (Juvenile Cases).
- 299098 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$715.00 attorney fees for the defense of an indigent defendant, Emmanuel McLaurin, Father, re: N. Sanders, a minor. Indictment No. 02-JA-1908 (Juvenile Case).

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| JUVENILE CASES APPROVED FISCAL YEAR 2009 TO PRESENT: | \$736,234.83 |
| JUVENILE CASES TO BE APPROVED: | \$162,206.93 |

SPECIAL COURT CASES

- 298962 SANDRA L. THIEL, Attorney and Guardian ad Litem, presented by the Circuit Court of Cook County, Office of the Chief Judge, submitting an Order of Court for payment of \$688.00 attorney fees and expenses regarding Estate of Willie Burnett, Disabled Person. Case No. 08-P-7933. Please forward the check to Karen J. Dimond, Assistant State's Attorney, Civil Actions Bureau, for transmittal (300-829 Account).

- 299022 FIORETTI, LOWER & CARBONARA, LLP, Robert W. Fioretti, Special Assistant State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$2,483.55 attorney fees and expenses regarding Houskins v. Sheahan, et al., Case No. 03-C-6553 (Petition for Appointment of Special Assistant State's Attorney, Case No. 06-CH-07222), for the months of September and October 2005, and the period of January 31, 2006 through November 30, 2008. To date \$170,247.15 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER MORENO VOTED PRESENT, AND COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299025 PETERSON, JOHNSON & MURRAY, S.C., Daniel P. Duffy, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,406.00 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of December 23, 2008 through January 26, 2009. To date \$359,193.94 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299027 JOHN R. ASHENDEN, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,207.50 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088) review of Daniel P. Duffy's fee petition, for the period of October 14-22, 2008. To date \$10,786.25 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299029 JOHN R. ASHENDEN, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,244.00 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088) review of Daniel P. Duffy's fee petition, for the period of December 30, 2008 through January 20, 2009. To date \$10,786.25 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

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- 299031 JOHN R. ASHENDEN, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,114.00 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088) review of Bell, Boyd & Lloyd's fee petition, for the period of January 2-15, 2009. To date \$90,439.00 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299032 JOHN R. ASHENDEN, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$945.50 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088) review of Bell, Boyd & Lloyd's fee petition, for the period of January 2-13, 2009. To date \$90,439.00 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299033 JOHN R. ASHENDEN, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$964.50 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088) review of Bell, Boyd & Lloyd's fee petition, for the period of January 2-13, 2009. To date \$90,439.00 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299034 MUCH, SHELST, DENENBERG, AMENT & RUBENSTEIN, P.C. (formerly Quinlan & Carroll, Ltd.), William R. Quinlan and James R. Carroll, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$4,323.00 attorney fees and expenses regarding Leticia Gradilla and Clarence Bowers v. Dorothy Brown, Case No. 07-L-001164 (Petition for Appointment of Special State's Attorney, Case No. 07-CH-14628), for the month of December 2008. To date \$427,153.98 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299046 JULIA M. NOWICKI, Compliance Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$123,019.70 fees and expenses regarding Shakman, et al. v. Democratic Organization of Cook County, USDC No. 69-C-2145. The Board of Commissioners approved a Supplemental Relief Order (SRO) on November 29, 2006. On November 30, 2006, the United States District Court entered a SRO in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator. On February 5, 2009, Judge Wayne R. Andersen entered an order approving fees and expenses for the 35th Unopposed Petition in the amount of \$123,019.70 made payable to Julia M. Nowicki, Compliance Administrator. To date, Julia M. Nowicki has been paid \$2,012,079.54. Ms. Nowicki has accumulated total expenses of \$2,201,757.47 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.
- 299048 ALASTAR S. MCGRATH, P.C., Alastar S. McGrath, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$78,618.00 attorney fees and expenses regarding Walker v. Sheahan, et al., Case No. 05-C-5634 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-4325), for the period of October 1, 2008 through January 22, 2009. To date \$171,663.75 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 299049 BELGRADE AND O'DONNELL, P.C., John C. Coyne, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$8,929.00 attorney fees and expenses regarding Enrique Campillo v. The County of Cook, et al., Case No. 06-C-5380 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-26086), for the period of April 8 through August 30, 2008. To date \$44,582.07 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of October 2, 2008. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 299050 HINSHAW & CULBERTSON, LLP, James M. Lydon, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$52,109.68 attorney fees and expenses regarding Curtis, et al. v. Michael F. Sheahan, et al., Case No. 06-L-009701 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-24510), for the period of November 24, 2008 through January 16, 2009 (attorney fees), and November 5, 2008 through January 16, 2009 (expenses). To date \$335,009.34 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 299051 PETERSON, JOHNSON & MURRAY, S.C., Daniel P. Duffy, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$2,607.00 attorney fees and expenses regarding Richardson v. Cook County, Case No. 07-C-5341 (Petition for Appointment of Special State's Attorney, Case No. 08-CH-41219), for the period of December 23, 2008 through January 27, 2009. To date \$4,329.00 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of February 5, 2009. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

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SPECIAL COURT CASES APPROVED FISCAL YEAR 2009 TO PRESENT: \$2,597,650.16
SPECIAL COURT CASES TO BE APPROVED: \$279,659.43

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER PERAICA, MOVED APPROVAL OF THE COURT ORDERS. THE MOTION CARRIED.

SECTION 2

Your Committee has considered the following numbered and described bills and recommends that they be, and upon the adoption of this report, approved and that the County Comptroller and County Treasurer are authorized and directed to issue checks to said claimants in the amounts recommended.

298827 ARAMARK CORRECTIONAL SERVICES, INC., Atlanta, Georgia, submitting four (4) invoices totaling \$618,750.56, part payment for Contract No. 04-54-618 Rebid/Revised, for food service for the Department of Corrections, for the period of November 20-26, 2008 and December 1-17, 2008 (239-223 Account). Purchase Order No. 165241, approved by County Board November 3, 2004, January 4, 2006, November 14, 2006, March 18, 2008 and November 19, 2008.

COMMISSIONER SUFFREDIN VOTED NO ON THE ABOVE ITEM.

298876 WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION, Carol Stream, Illinois, submitting invoice totaling \$189,263.73, part payment for Contract No. 06-41-653, for the County's participation in the State of Illinois contract for motor vehicle fuel card purchases submitted by the Sheriff's Office, for the month of January 2009 (211-445 Account). (See Comm. No. 298400). Purchase Order No. 165309, approved by County Board July 12, 2006 and June 3, 2008.

298877 AUNT MARTHA'S YOUTH SERVICE CENTER, INC., Chicago Heights, Illinois, submitting invoice totaling \$137,226.00, part payment for Contract No. 06-41-753, for community based pretrial supervision and evening reporting centers for the Juvenile Probation and Court Services Department, Circuit Court of Cook County, for the month of December 2008 (326-298 Account). (See Comm. No. 298752). Purchase Order No. 164637, approved by County Board October 17, 2006.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

299099 BMC SOFTWARE, INC., Houston, Texas, submitting invoice totaling \$216,166.20, full payment for Contract No. 08-41-366, for computer software maintenance and support for the Department for Management of Information Systems, for the period of March 15, 2009 through March 14, 2010 (012-441 Account). Purchase Order No. 165637, approved by County Board March 18, 2008.

299100 PAPER SOLUTIONS, Cedar Rapids, Iowa, submitting invoice totaling \$692,805.00, full payment for Contract No. 08-84-241, for manufacturing and printing of 2009 court file jackets for the Clerk of the Circuit Court (529-240 Account). Purchase Order No. 163757, approved by County Board July 22, 2008.

CHAIRMAN DALEY AND COMMISSIONER SILVESTRI VOTED NO ON THE ABOVE ITEM.

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- 299101 PUBLIC BUILDING COMMISSION OF CHICAGO, Chicago, Illinois, submitting invoice totaling \$3,652,216.00, part payment for operating expenses for the Richard J. Daley Center, for the months of December 2008 through February 2009 (499-470 Account). Approved by County Board January 15, 2009 recessed and reconvened on February 20, 2009.
- 299102 FUJIFILM MEDICAL SYSTEMS USA, INC., Hanover Park, Illinois, submitting invoice totaling \$150,260.25, part payment for Contract No. 08-41-312, for Fuji XG5000 digital radiology equipment for the Medical Examiner's Office through the Homeland Security grant (769-579 Account). Purchase Order No. 164489, approved by County Board June 17, 2008.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER PERAICA, MOVED APPROVAL OF THE BILLS AND CLAIMS. THE MOTION CARRIED.

SECTION 3

Your Committee has considered the following communications from State's Attorney, Anita Alvarez with reference to the workers' compensation claims hereinafter mentioned.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to the Workers' Compensation Commission to be paid from the Workmen's Compensation Fund.

- 298931 MAURICE ADAMS, in the course of his employment as a Physician's Assistant for Stroger Hospital of Cook County sustained accidental injuries on November 3, 2002. The Petitioner slipped while descending a staircase and twisted his ankle, and as a result he injured his foot and ankle (left ankle sprain). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 03-WC-01734 in the amount of \$1,500.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Sheldon I. Minkow, Law Firm of Sheldon I. Minkow & Associates, P.C.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298932 CASSANDRA Y. ANDREWS, in the course of her employment as a Nurse for Oak Forest Hospital of Cook County sustained accidental injuries on March 12, 2004. The accident occurred when the Petitioner tripped while passing medicine to a patient, and as a result she injured her ankle (right ankle sprain, lesion on right heel, right plantar fasciitis and right tendonitis). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 04-WC-54512 in the amount of \$3,495.01 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Donald V. Gallagher, Law Firm of Donald V. Gallagher, P.C.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298933 LINDA L. DILALLO, in the course of her employment as a Clerk for the Clerk of the Circuit Court sustained accidental injuries on August 14, 2006. The Petitioner slipped on water while walking down a flight of stairs and fell, and as a result she injured her great toe and leg (fractured right great toe, contusions to lower left leg). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-46923 in the amount of \$3,925.88 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: James E. Tyrrell, Law Office of Ross Tyrrell, Ltd.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298934 DELORES CAMPBELL, in the course of her employment as a Registered Nurse for Stroger Hospital of Cook County sustained accidental injuries on September 20, 2005. The Petitioner was attempting to wash her hands when soap from the bottle dispenser squirted upward into her eye, and as a result she injured her eye (superficial keratitis in the left eye). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 05-WC-42618 in the amount of \$958.67 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Frank A. Santilli, Law Firm of Frank A. Santilli & Associates.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298935 DAN GRANATA, in the course of his employment as a Pipe Coverer for the Department of Facilities Management sustained accidental injuries on November 13, 2007. The Petitioner was lifting and moving a 10 foot ladder to cover pipes, and as a result he injured his lower back (left-sided disc herniation superimposed on a L5-S1 bulge). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 08-WC-12346 in the amount of \$23,855.63 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Matthew B. Walker, Law Firm of Anesi, Ozmon, Rodin, Novak & Kohen, Ltd.

COMMISSIONERS PERAICA AND SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298936 JOANNE GUILLEMETTE, in the course of her employment as Assistant Director of Expedited Child Support for the Clerk of the Circuit Court sustained accidental injuries on September 27, 2007. The Petitioner tripped over a box of files on the floor and fell, and as a result she injured her wrist, neck and back (concussion, right wrist sprain, cervical and lumbar sprain). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-44311 in the amount of \$22,265.25 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Edward Spitz, Law Firm of Vitell & Spitz, Ltd.

COMMISSIONERS MORENO AND SILVESTRI VOTED PRESENT, AND COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

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- 298937 PATRICK KELLY, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on April 22, 2007. The Petitioner slipped while responding to a call and fell, and as result he injured his lower back (protruding disc at L4-L5 with mild left lower extremity radiculitis). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 08-WC-06517 in the amount of \$16,365.38 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Larry J. Coven, The Coven Law Group.
- 298938 CHARLES E. JEFFERSON, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on November 16, 2006. The accident occurred when the Petitioner was bitten while trying to restrain an inmate, and as a result he injured his finger (right fifth finger avulsion wound; human bite). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-53014 in the amount of \$2,515.04 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Joel M. Bell, Law Firm of Teplitz & Bell.
- 298939 PATRICK MARTIN, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on May 22, 2006. The Petitioner was trying to subdue an inmate and was struck in the face and knocked to the ground, and as a result he injured his leg (blunt head trauma, bone bruising at the right medial-femoral condyle). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-29558 in the amount of \$8,269.99 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Neal K. Wishnick, Law Firm of Sostrin and Sostrin, P.C.
- 298940 GLADYS DAVIS, in the course of her employment as a Nurse for the Department of Public Health sustained accidental injuries on February 8, 2005. The Petitioner tripped over a raised area in the pavement and fell to the ground, injuring her knees, ankle, shoulder and middle finger (broken right ankle, left knee abrasion and right middle finger sprain). The County has paid \$25,241.26 in temporary disability and \$3,783.00 in medical expenses for a total payment of \$29,024.26. The County is entitled to recover 75% of that amount, which is \$21,768.19, in addition to 75% of any further payment made for permanent partial disability and medical expenses, less a proportional share of cost. The County has agreed to waive \$7,256.06 of its lien in exchange for a \$1.00 lump sum settlement contract. The Workers' Compensation Commission approved the \$1.00 settlement contract on January 27, 2009. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Lump Sum Petition and Order No. 08-WC-52715 in the amount of \$1.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Robert J. Friend, Robert J. Friend & Associates.

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| Settlement Amount: | \$ 1.00 |
| Lien Recovery: | \$14,512.13 |
| Lien Waiver: | \$ 7,256.06 |

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 298941 ROSE M. MCBRIDE, in the course of her employment as a Nurse for Cermak Health Services of Cook County sustained accidental injuries on December 1, 2005. The Petitioner slipped on ice while entering the building and fell, and as a result she injured her hip and back (sprained right hip and lower back). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-02156 in the amount of \$5,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Warren M. Mark, Law Firm of Warren M. Mark, P.C.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298942 CHARLENE SIKANICH, in the course of her employment as a Clerk for the Clerk of the Circuit Court sustained accidental injuries on February 7, 2006. The Petitioner was struck by a swinging 12-foot door, and as a result she injured her arm (right brachial plexopathy, rotator cuff tendinopathy, and a partial tear of the subscapularis tendon). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 06-WC-16673 and 07-WC-05777 (duplicate filing) in the amount of \$31,694.20 and recommends its payment. (Finance Subcommittee January 13, 2009). Attorney: Donna Zadeikis, Law Office of Kenneth B. Gore, Ltd.

COMMISSIONERS PERAICA AND SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298943 JOHN KLARICH, in the course of his employment as a Deputy Sheriff for the Sheriff's Court Services Division sustained accidental injuries on April 19, 2004. The Petitioner was apprehending a prisoner trying to escape from a courtroom, and as a result he injured his shoulder (left shoulder sprain, causing impingement symptoms to the left shoulder, and carpal tunnel syndrome to the left upper extremity). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-04855 in the amount of \$21,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Daniel C. Truesdale, Law Firm of Carroll & Truesdale, P.C.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 298944 DELORES WHITE, in the course of her employment as a Dietician for Stroger Hospital of Cook County sustained accidental injuries on January 13, 2005. The Petitioner tried to catch a roll of plastic bag covers that fell off a shelf, and as a result she injured her shoulders (right rotator cuff tear and left rotator cuff partial tear). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 05-WC-43866 in the amount of \$29,732.55 and recommends its payment. (Finance Subcommittee January 13, 2009). Attorney: Christopher Mose, Law Firm of Katz, Friedman, Eagle, Eisenstein, Johnson & Bareck, P.C.

- 298945 BRENDA L. BROWN, in the course of her employment as a Counselor for the Juvenile Temporary Detention Center sustained accidental injuries on October 26, 2004. The Petitioner tripped on the elevator lower door plate, and as a result she injured her head, arm, hand and leg (blunt head trauma; left arm strain, left hand strain and left leg strain). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-07909 in the amount of \$4,581.33 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Susan E. Krzak, Law Firm of Briskman and Briskman.

- 298946 BENNIE ARCHEY in the course of his employment as a Laundry Worker for Oak Forest Hospital of Cook County sustained accidental injuries on November 29, 2004 and September 21, 2005. The November 29, 2004 accident occurred when the Petitioner was lifting boxes of wet towels, and as a result he injured his neck and shoulder (herniated disc at C5-C6). The September 21, 2005 accident occurred when the Petitioner was struck by a laundry cart, and as a result he injured his lower back (acute lumbosacral sprain). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 05-WC-06610 and 05-WC-45112 in the amount of \$38,508.00 and recommends its payment. (Finance Subcommittee January 13, 2009). Attorney: Vitas J. Mockaitis, Law Firm of Corti, Aleksey and Castaneda, P.C.
- 298947 PATRICIA RODRIQUEZ, in the course of her employment as a Clerk for the Clerk of the Circuit Court sustained accidental injuries on October 19, 2004. The accident occurred when a cabinet fell over trapping the Petitioner's hand and pinning her to a wall, and as a result she injured her hand (multiple abrasions and contusions, left hand carpal tunnel syndrome, left DeQuervain's tenosynovitis, with subsequent development of right trigger thumb). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-20286 in the amount of \$7,668.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: James E. Tyrrell, Law Office of Ross Tyrrell, Ltd.
- 298948 ROBERT JONES, in the course of his employment as a Registered Nurse for Provident Hospital of Cook County sustained accidental injuries on September 27, 2006. The Petitioner was moving a patient when the patient moved unexpectedly, and as a result he injured his right arm and neck (internal derangement, cervical spondylosis with disc herniations at C5-6, C6-7). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-41465 in the amount of \$30,000.00 and recommends its payment. (Finance Subcommittee January 13, 2009). Attorney: Michael J. Evers, Law Firm of Elfenbaum, Evers & Amarilio, P.C.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 298949 ADAM LEMONS, in the course of his employment as a Deputy Sheriff for the Sheriff's Court Services Division sustained accidental injuries on October 18, 2006. The Petitioner was trying to restrain an arrestee, and as a result he injured his shoulder (left shoulder rotator cuff tendonitis; left rotator cuff tear). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-50502 in the amount of \$33,069.29 and recommends its payment. (Finance Subcommittee January 13, 2009). Attorney: Edward S. Lichtenstein, Law Firm of Joseph, Lichtenstein & Levinson.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

- 298952 JOSEPH THOMAS, in the course of his employment as a Senior Mental Health Specialist for Cermak Health Services of Cook County sustained accidental injuries on April 15, 2003. The Petitioner was assaulted and struck in the face by a patient who became violent during a counseling session, and as a result he injured his nose and eye (left orbital fracture and fractured nose, resulting in residual vision impairment). On December 16, 2008, the Arbitrator awarded the Petitioner the sum of \$37,951.90. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 04-WC-24608 in the amount of \$37,951.90 and recommends its payment. (Finance Subcommittee February 4, 2009). Attorney: Thomas Paris.

- 298953 MARY SCOTT, in the course of her employment as a Collector for Provident Hospital of Cook County sustained accidental injuries on November 8, 1999. The Petitioner tripped over a crate, and as a result she injured her ankle, lower back and both shoulders (sprained left ankle with tendonitis, bilateral shoulder strains, and lumbar disc herniation with radiculopathy). On October 28, 2008, the Arbitrator awarded the Petitioner the sum of \$22,720.00. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 00-WC-15837 in the amount of \$22,720.00 and recommends its payment. This decision is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Richard S. Volpe, Law Firm of Grazian & Volpe, P.C.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298957 NILS PEDERSON, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on June 7, 1998. The Petitioner suffered multiple asthma attacks due to poor ventilation and damp conditions, and as a result he injured his lungs (bronchial asthma, with intermittent status asthmaticus and bronchospasm). On November 7, 2008, the Arbitrator awarded the Petitioner the sum of \$38,654.00. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 99-WC-43901 in the amount of \$38,654.00 and recommends its payment. (Finance Subcommittee February 4, 2009). Attorney: Mark Fine of Mark S. Fine Law Offices.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298961 WILLIAM LOWING, in the course of his employment as a Custodian for the Sheriff's Custodial Department sustained accidental injuries on August 19, 1999. The Petitioner slipped on a freshly mopped and waxed floor and fell, and as a result he injured his knee (left knee horizontal tear of the posterior horn of the medial meniscus). On May 15, 2008, the Arbitrator awarded the Petitioner temporary total disability benefits totaling \$352.57 per week for 461-3/7 weeks. To date, \$133,153.69 has been paid by the County in TTD benefits. The May 15, 2008 decision also awarded \$317.31 per week for 130 weeks for permanency. The permanency was approved at the July 1, 2008 meeting of the Finance Committee's Subcommittee on Workers' Compensation and was approved for payout July 22, 2008. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 00-WC-18809 in the amount of \$29,936.33 and recommends its payment. (Finance Subcommittee February 4, 2009). Attorney: David M. Barish, Law Firm of Katz, Friedman, Eagle, Eistenstein, Johnson & Bareck, P.C.

COMMISSIONER SCHNEIDER VOTED NO ON THE ABOVE ITEM.

- 298964 MANFRED KASINGER, in the course of his employment as an Upholsterer for the Department of Central Services sustained accidental injuries on October 31, 2001. The Petitioner was exposed to asbestos, and as a result he injured his lungs (extensive pleural calcifications and shortness of breath). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 02-WC-25736 in the amount of \$33,609.00 and recommends its payment. (Finance Subcommittee February 4, 2009). Attorney: Douglas Colby, Law Firm of Anesi, Ozmon, Rodin, Novak & Kohen, Ltd.

COMMISSIONER PERAICA VOTED NO ON THE ABOVE ITEM.

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- 298965 HARRIET JACKSON, in the course of her employment as a Case Processor for the State's Attorney's Office sustained accidental injuries on June 20, 2006. The Petitioner developed bilateral carpal tunnel syndrome from repetitive typing at work, and as a result she injured both hands (bilateral carpal tunnel syndrome). State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 06-WC-47903 in the amount of \$94,733.94 and recommends its payment. (Finance Subcommittee February 4, 2009). Attorney: Bradley Dworkin.

COMMISSIONERS PERAICA AND SCHNEIDER VOTED NO ON THE ABOVE ITEM.

WORKERS' COMPENSATION CLAIMS APPROVED FISCAL YEAR 2009

TO PRESENT:

\$1,120,790.42

WORKERS' COMPENSATION CLAIMS TO BE APPROVED:

\$542,010.39

COMMISSIONER GORMAN, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE WORKERS' COMPENSATION CLAIMS. THE MOTION CARRIED.

SECTION 4

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting the County Board to authorize subrogation recoveries.

Your Committee, concurring in the requests of the Cook County Department of Risk Management recommends the authorization of subrogation recoveries be granted.

- 299052 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$766.81. Claim No. 20050362, Sheriff's Police Department.

Responsible Party: Suburban General (Owner), Gregory S. Myers (Driver), 1019 East 31st Street, LaGrange Park, Illinois 60464
Damage to: Sheriff's Police Department vehicle
Our Driver: Michael B. Schaffer, Unit #3956
Date of Accident: December 16, 2008
Location: Golf Road near Dee Road, Des Plaines, Illinois (211-444 Account).

- 299054 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$519.85. Claim No. 20050357, Sheriff's Police Department.

Responsible Party: Anthony J. Caruso (Owner and Driver), 6120 Boco Rio Drive, Oak Forest, Illinois 60452
Damage to: Sheriff's Police Department vehicle
Our Driver: Eric S. Burnson, Unit #1843
Date of Accident: October 25, 2008
Location: 159th Street near Oak Park Avenue, Oak Forest, Illinois (211-444 Account).

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- 299055 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$1,514.15. Claim No. 20050361, Sheriff's Police Department.
- Responsible Party: Linda R. Prysok (Owner and Driver), 2880 Abbington Drive, New Lenox, Illinois 60451
- Damage to: Sheriff's Police Department vehicle
- Our Driver: David A. Linde, Unit #4810
- Date of Accident: December 10, 2008
- Location: I-355 near Southwest Highway, Will County, Illinois (211-444 Account).
- 299057 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$435.25. Claim No. 20050359, Sheriff's Police Department.
- Responsible Party: Joan M. Busch (Owner and Driver), 7034 West 86th Street, Burbank, Illinois 60459
- Damage to: Sheriff's Police Department vehicle
- Our Driver: Daniel Garcia, Unit #1705
- Date of Accident: November 19, 2008
- Location: 87th Street near Harlem Avenue, Worth Township, Illinois (211-444 Account).
- 299058 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$3,245.70. Claim No. 20050347, Sheriff's Police Department.
- Responsible Party: Susan A. Theriault (Owner and Driver), 15269 Coventry Court, Orland Park, Illinois 60462
- Damage to: Sheriff's Police Department vehicle
- Our Driver: Jose Reyna, Unit #1340
- Date of Accident: October 30, 2008
- Location: Cicero Avenue near 111th Avenue, Chicago, Illinois (211-444 Account).
- 299060 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$5,228.14. Claim No. 20050354, Sheriff's Court Services Division.
- Responsible Party: Michael L. Williams (Owner and Driver), 16433 Dixie Highway, Markham, Illinois 60428
- Damage to: Sheriff's Court Services Division vehicle
- Our Driver: Parris C. Williams, Unit #8004
- Date of Accident: November 6, 2008
- Location: 146th Street near Halsted Street, Harvey, Illinois (211-444 Account).
- 299064 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$571.58. Claim No. 20050353, State's Attorney's Office.
- Responsible Party: Michael J. Rubin (Owner and Driver), 4050 North Bernard, Chicago, Illinois 60618
- Damage to: State's Attorney's Office vehicle
- Our Driver: Patrick J. Kelly, Unit #2929
- Date of Accident: October 10, 2007
- Location: I-290 near Canal Street, Chicago, Illinois (250-444 Account).

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| SUBROGATION RECOVERIES APPROVED FISCAL YEAR 2009 TO PRESENT: | \$14,107.24 |
| SUBROGATION RECOVERIES TO BE APPROVED: | \$12,281.48 |

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE SUBROGATION RECOVERIES. THE MOTION CARRIED.

SECTION 5

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee, concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to claimants in the amounts recommended.

299059 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$534.54. Claim No. 97007107, Highway Department.

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| Claimant: | Ricardo Villagomez, 724 Lexington Drive, Chicago Heights, Illinois 60411 |
| Claimant's Vehicle: | 2007 Mercury Milan |
| Date of Accident: | February 17, 2008 |
| Location: | Joe Orr Road near Cottage Grove Avenue, Chicago Heights, Illinois |

Claimant was traveling eastbound on Joe Orr Road near Cottage Grove Avenue in Chicago Heights, and struck a pothole causing damage to all four tires (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

299061 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$10.58. Claim No. 97007210, Highway Department.

| | |
|---------------------|---|
| Claimant: | Roberta Diamond, 120 Kinkaid Court, Des Plaines, Illinois 60016 |
| Claimant's Vehicle: | 2000 Nissan Altima |
| Date of Accident: | February 17, 2008 |
| Location: | Dempster Avenue near Linneman Road, Mount Prospect, Illinois |

Claimant was traveling on Dempster Avenue near Linneman Road in Mount Prospect, and struck a large pothole causing damage to the right rear tire (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

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- 299062 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$42.00. Claim No. 97007139, Highway Department.

Claimant: Gwendolyn Laing, 3504 Lakeview Drive, Hazel Crest, Illinois 60429
Claimant's Vehicle: 1999 Toyota Corolla
Date of Accident: July 12, 2008
Location: 167th Street near Kedzie Avenue, Hazel Crest, Illinois

Claimant was traveling on 167th Street near Kedzie Avenue in Hazel Crest, and struck a large pothole causing damage to the left front tire (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

- 299063 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$72.92. Claim No. 97007164, Highway Department.

Claimant: Amelia F. Smith, 1345 East 60th Drive, Merrillville, Indiana 46410
Property Damage: 2002 Nissan Sentra
Date of Accident: January 12, 2008
Location: Joe Orr Road near Cottage Grove Avenue, Chicago Heights, Illinois

Claimant was traveling on Joe Orr Road near Cottage Grove Avenue in Chicago Heights, and struck a large pothole causing damage to both front tires (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

- 299065 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$65.52. Claim No. 97007145, Highway Department.

Claimant: Bernice Webb (Owner), Harry McMillon (Driver), 14904 Cicero Avenue, Apartment 513, Oak Forest, Illinois 60452
Property Damage: 2001 Chevrolet Malibu
Date of Accident: January 8, 2008
Location: 143rd Street near Pulaski Road, Midlothian, Illinois

Claimant's vehicle was traveling southbound on Pulaski Road near 143rd Street in Midlothian, and struck a large pothole causing damage to the left rear tire (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

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299066 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$243.21. Claim No. 97007233, Highway Department.

Claimant: Carmela M. Jarencio, 4544 North Lawndale Avenue, Chicago Illinois 60625
Claimant's Vehicle: 2005 Audi A4
Date of Accident: January 18, 2008
Location: Dempster Avenue near Linneman Road, Mount Prospect, Illinois

Claimant was traveling on Dempster Avenue near Linneman Road in Mount Prospect, and struck a large pothole causing damage to the left front and rear tires (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

299067 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$75.53. Claim No. 97007357, Highway Department.

Claimant: Jaroslaw Tredota, 920 Beau Drive, Apartment #309, Des Plaines, Illinois 60015
Claimant's Vehicle: 2004 Honda Civic LX
Date of Accident: February 6, 2008
Location: Dempster Avenue near Busse Road, Mount Prospect, Illinois

Claimant was traveling eastbound on Dempster Avenue near Busse Road in Mount Prospect, and struck a large pothole causing damage to right front and rear tires (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

299068 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$162.14. Claim No. 97007024, Highway Department.

Claimant: Gary E. Baim, 1525 Lori Lyn Lane, Northbrook, Illinois 60062
Claimant's Vehicle: 2003 Saab
Date of Accident: February 9, 2008
Location: Techny Road near Sanders Road, Northbrook, Illinois

Claimant was traveling on Techny Road near Sanders Road in Northbrook, and struck a large pothole causing damage to the right front wheel and tire (542-846 Account).

Investigated by Cambridge Integrated Services Group. We concur and recommend payment of the above charge.

SELF-INSURANCE CLAIMS APPROVED FISCAL YEAR 2009 TO PRESENT: \$16,943.57
SELF-INSURANCE CLAIMS TO BE APPROVED: \$1,206.44

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE SELF-INSURANCE PROGRAM SETTLEMENT CLAIMS. THE MOTION CARRIED.

SECTION 6

Your Committee has considered the following communications from State's Attorney, Anita Alvarez.

Your Committee, concurring in the recommendations of the State's Attorney, recommends that the County Comptroller and County Treasurer prepare checks in the amounts recommended in order that the payments may be set in accordance with the request of the State's Attorney upon proper release from the Office of the State's Attorney.

299026 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$344.95 for the release and settlement of suit regarding Jose Herrera v. Cook County Department of Corrections Div. 4 (CCDOC), Case No. 08- M1-17460. This matter involves an inmate's lost property action. The matter has been settled for the sum of \$344.95, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$344.95, made payable to Jose Herrera. Please forward the check to Lauren Klein, Assistant State's Attorney, for transmittal.

299028 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$10,000.00 for the release and settlement of suit regarding Alexis Cruz v. County of Cook, Case No. 07-C-2580. This matter arose from allegations of a civil rights violation. The matter has been settled for the sum of \$10,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$10,000.00, made payable to Perry Grimaldi, Esq. Please forward the check to Michael L. Gallagher, Assistant State's Attorney, for transmittal.

299030 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$10,000.00 for the release and settlement of suit regarding Larry Nelson v. Amelio Gonzalez et al., Case No. 07-C-0543 and Larry G. Nelson, Jr. v. Officer Bucio, et al., Case No. 06-C-4302. These matters involve an alleged civil rights violation. These matters have been settled for the sum of \$10,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$10,000.00, made payable to Larry G. Nelson, Jr. Please forward the check to Michael A. Kuczwara, Jr., Assistant State's Attorney, for transmittal.

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| PROPOSED SETTLEMENTS APPROVED FISCAL YEAR 2009 TO PRESENT: | \$15,042,813.89 |
| PROPOSED SETTLEMENTS TO BE APPROVED: | \$20,344.95 |

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE PROPOSED SETTLEMENTS. THE MOTION CARRIED.

SECTION 7

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

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Your Committee, concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to claimants in the amounts recommended.

299056 PATIENT/ARRESTEE SETTLEMENT PROGRAM CLAIMS. The Department of Risk Management is submitting invoices totaling \$418,968.66, for payment of medical bills for services rendered to patients while in the custody of the Cook County Sheriff's Office. Their services were rendered under the Patient/Arrestee Settlement Program (542-274 Account). Bills were approved for payment after an audit by Cambridge Integrated Services Group, and by the Department of Risk Management who recommends payment based on Cook County State's Attorney's Legal Opinion No. 1879, dated July 14, 1987. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management.

| | <u>YEAR TO DATE</u> | <u>TO BE APPROVED</u> |
|----------------|---------------------|-----------------------|
| TOTAL BILLED | \$629,629.37 | \$560,121.30 |
| UNDOCUMENTED | \$0.00 | \$0.00 |
| UNRELATED | \$45,183.58 | \$31,278.06 |
| DISCOUNT | \$113,171.90 | \$109,874.58 |
| AMOUNT PAYABLE | \$471,273.89 | \$418,968.66 |

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE PATIENT/ARRESTEE CLAIMS. THE MOTION CARRIED.

SECTION 8

Your Committee has considered the following communications received from the Employees' Injury Compensation Committee requesting that the County Board authorize payment of expenses regarding claims of Cook County employees injured while in the line of duty.

Your Committee, concurring in said requests, recommends that the County Comptroller and County Treasurer be, and upon the adoption of this report, authorized and directed to issue checks in the amounts recommended to the claimants.

299053 THE EMPLOYEE'S INJURY COMPENSATION COMMITTEE, submitting invoice totaling \$369,406.46, for payment of medical bills for Workers' Compensation cases incurred by employees injured on duty. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management, Workers' Compensation Unit. This request covers bills received and processed from February 19 through March 4, 2009.

EMPLOYEES' INJURY COMPENSATION CLAIMS APPROVED FISCAL YEAR 2009

| | |
|---|----------------|
| TO PRESENT: | \$1,840,150.08 |
| EMPLOYEES' INJURY COMPENSATION CLAIMS TO BE APPROVED: | \$369,406.46 |

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE EMPLOYEES' INJURY COMPENSATION CLAIMS. THE MOTION CARRIED.

CHAIRMAN DALEY VOTED PRESENT ON THE CLAIMS REGARDING MERCY HOSPITAL AND MERCY PHYSICIANS BILLING.

SECTION 9

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

297362 **CAPITAL IMPROVEMENT GENERAL OBLIGATION BONDS, SERIES ~~2008~~ 2009 FINANCE MEMBERS.** Transmitting a Communication, dated November 5, 2008 from Donna L. Dunnings, Chief Financial Officer, Bureau of Finance

transmitting herewith for your consideration are the finance members for the amended \$294,202,965.00 for the Capital Improvement General Obligation Bond, Series ~~2008~~ 2009 to be referred to the Finance Committee.

Capital Improvement General Obligation Bond, Series ~~2008~~ 2009, \$294,202,965.00

| | |
|---------------------------|--|
| Lead Financial Advisor: | Mesirow Financial |
| Co-Financial Advisors: | A.C. Advisory Davis Financial |
| Bond Counsel: | Chapman Cutler |
| Co-Bond Counsel: | Perkins Coie, LLP |
| Underwriter's Counsel: | Pugh, Jones, and Associates |
| Co-Underwriter's Counsel: | Burke, Burns & Pinelli, Ltd. |
| Senior Manager: | Loop Capital Markets, LLC |
| Co-Senior Manager: | Ramirez and Company |
| Co-Managers: | Citigroup Global Markets, Inc. SBK Brooks Investment Corp. Siebert Brandford Shank & Co., LLC William Blair and Company |

* Referred to the Finance Committee on 11/19/08.

** Deferred at the Finance Committee meeting of 02/20/09.

NOTE: The Chief Financial Officer has submitted amendments to this item, indicated above with strikethrough and underlined or double underlined text.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MORENO, MOVED APPROVAL OF COMMUNICATION NO. 297362.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER STEELE, MOVED TO AMEND COMMUNICATION NO. 297362 AS INDICATED ABOVE WITH STRIKETHROUGH AND UNDERLINED OR DOUBLE UNDERLINED TEXT. THE MOTION TO AMEND CARRIED.

ON THE MAIN MOTION TO APPROVE COMMUNICATION NO. 297362 AS AMENDED, COMMISSIONER BEAVERS CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

ROLL CALL ON MOTION TO APPROVE AS AMENDED

YEAS: COMMISSIONERS BEAVERS, BUTLER, MALDONADO, MORENO, MURPHY, VICE CHAIRMAN SIMS AND STEELE (7)

NAYS: COMMISSIONERS CLAYPOOL, GORMAN, GOSLIN, PERAICA, QUIGLEY, SCHNEIDER, SILVESTRI AND SUFFREDIN (8)

PRESENT: CHAIRMAN DALEY (1)

ABSENT: COMMISSIONER COLLINS (1)

THE MOTION TO APPROVE COMMUNICATION NO. 297362, AS AMENDED FAILED.

297772 **AMENDMENTS TO THE ORDINANCE PROVIDING FOR A TAX ON TOBACCO (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by Todd H. Stroger, President, Cook County Board of Commissioners.

PROPOSED ORDINANCE AMENDMENT

**AN AMENDMENT TO THE ORDINANCE
PROVIDING FOR A TAX ON TOBACCO**

WHEREAS, the County of Cook is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule powers, the Cook County Board of Commissioners adopted an Ordinance to provide for a tax on the retail sale of cigarettes ("Retail Sale of Cigarettes Tax Ordinance") on June 1, 1980 and has adopted subsequent amendments; and

WHEREAS, Cook County expends significant resources in the treatment of tobacco related illnesses; and

WHEREAS, the Cook County Board of Commissioners wishes to discourage the use of tobacco by residents of Cook County and to decrease the illegal consumption of tobacco by juveniles; and

WHEREAS, the Cook County Board of Commissioners wishes to make it unlawful to sell or distribute individual unpackaged cigarettes within Cook County; and

WHEREAS, the Cook County Board of Commissioners determined it to be in the best interest of the County that the Cook County Retail Sale of Tobacco Tax Ordinance be amended to require, for enforcement and audit purposes, both wholesale and retail tobacco dealers, to register with Cook County; and

WHEREAS, the Cook County Board of Commissioners wishes to establish a system for receiving citizen reports of "possession for sale of cigarettes without tax stamps" such system may include but not be limited to a telephone and/or text number tip line; and

WHEREAS, the Cook County Board of Commissioners seeks to eliminate the repetitive illegal possession of counterfeit, unstamped or improperly stamped packages of cigarettes in Cook County by imposing a new per package penalty that would require a wholesale tobacco dealer, retail tobacco dealer, or vending machine operator to pay a \$25.00 penalty for each unstamped or improperly stamped package of cigarettes that are in their possession; and

WHEREAS, the Cook County Board of Commissioners seeks to impose a Wholesale Tobacco Dealer redemption penalty equal to 50% of the tax due and increase the general violation penalties from \$500.00 to \$1,000.00 for first time offenders, and from \$1,000.00 to \$2,000.00 for the second and each subsequent offense; and

WHEREAS, the Cook County Board of Commissioners seek to impose a statute of limitations period of "one year" for persons requesting a credit or refund for tax stamps affixed to packages of cigarettes returned to the manufacturer, or damaged tax stamps or expired tax stamps.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XI Tobacco Tax, Sections 74-430 through 74-448 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 74-430. Short title; definitions.

This article may be cited as the "Cook County Tobacco Tax Ordinance".

Sec. 74-431. Definitions.

For the purpose of this article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this section.

Chewing tobacco means any leaf tobacco that is not intended to be smoked.

Cigar means any roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco (other than any roll of tobacco which is a cigarette as defined in this article).

Cigarette means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether such tobacco is flavored, adulterated or mixed with any other ingredient, or not, and the wrapper of which is made of paper or any other substance or material except tobacco.

Department means the Department of Revenue within the Bureau of Finance of the County of Cook.

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Director means the Director of the Department of Revenue.

Manufacturer means any person who makes or fabricates cigarettes and/or tobacco products and sells them.

Package means the original packet, box, tin or container whatsoever used to contain and to convey cigarettes and/or tobacco products to the consumer.

Person means any natural person, trustee, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agency, government corporation, municipal corporation, district or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner, or any officers, agents, employees, or other representative, acting either for himself or for any other person in any capacity, or any other entity recognized by law as the subject of rights and duties. The masculine, feminine, singular or plural is included in any circumstances.

Pipe tobacco includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

Premises means, but is not limited to, buildings, vehicles or any place where cigarette inventory is possessed, stored or sold.

Retail tobacco dealer means any person who engages in the business of selling cigarettes and/or tobacco products in the County of Cook to a purchaser for use or consumption and not for resale in any form.

Roll-your-own tobacco includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.

Sale, resale, selling means any transfer of ownership or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever for a valuable consideration.

Smokeless tobacco includes any snuff, chewing tobacco, or other tobacco products not intended to be smoked.

Snuff means any finely cut, ground or powered tobacco that is not intended to be smoked.

Stamp means paper or other material with an imprint or decalcomania device thereon, of such size, design, color and denominations as may be prescribed and procured by the Department which, when affixed to a package of cigarettes, shall evidence payment of the tax thereon, as provided by this article.

Tobacco products includes, but is not limited to, any cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff or snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweeping of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both chewing and smoking; but does not include cigarettes or tobacco purchased for the manufacture of cigarettes by cigarette wholesale tobacco dealers and manufacturers as defined in this article.

Unit means any division of quantity that may be used as a standard to measure the quantity sold based on length, width, weight such as pounds, ounces and/or grams or volume or some other similar unit of measure, including but not limited to per item.

Use means any exercise of a right or power, actual or constructive, and shall include but is not limited to the receipt, storage, or any keeping or retention for any length of time, but shall not include possession for sale by a retail or wholesale tobacco dealer as defined in this article.

Wholesale tobacco dealer means any person who engages in the business of selling or supplying cigarettes, and/or tobacco products, who brings into the County, cigarettes, to any person for resale in or outside the County of Cook. For the purposes of this article, wholesale tobacco dealers also include ~~tobacco retailers~~ cigarette distributors who are licensed with the State of Illinois (35 ILCS 143/10-20). (Ord. No. 06-O-07, § 1, 2-9-2006.)

Sec. 74-432. Cigarette tax imposed; tax stamps purchases; tax collection; un-mutilated or un-altered tax stamps; the unlawful sale of cigarettes, and tip line.

(a) Cigarette tax imposed. A tax at the rate of 100 mils or \$0.10 per cigarette is hereby imposed upon all cigarettes possessed for sale and upon the use of all cigarettes within the County of Cook, the ultimate incidence of and liability for payment of said tax to be borne by the consumer of said cigarettes. The tax imposed hereby at the rate of 100 mils or \$0.10 per cigarette shall become in force and effect on March 1, 2006. The tax herein levied shall be in addition to any and all other taxes.

(b) Tax stamp purchases. The tax imposed in this section shall be paid by purchase of tax stamps from the Department, except as otherwise provided in Section 74-441(a) and (b) of this article. The Department shall only sell Cook County cigarette tax stamps to cigarette distributors who are licensed with the State of Illinois. It shall be the duty of every wholesale tobacco dealer, before delivering or causing to be delivered any cigarettes to a retail tobacco dealer in the County of Cook to purchase from the Department a tax stamp for each package of cigarettes and to cancel said stamps prior to the delivery of such cigarettes to any retail tobacco dealer in the County of Cook. Said stamps shall be affixed and cancelled in the manner prescribed by rules and regulations of the Department. Any stamp which is defective or unused may be returned to the Department by a wholesale tobacco dealer, who shall thereafter be credited or reimbursed with the amount paid to the Department for such stamps.

(c) Tax collection. Any wholesale tobacco dealer who shall pay the tax levied by this article to the Department shall collect the tax from any retail tobacco dealer to whom the sale of said cigarettes is made, and any retail tobacco dealer shall, in turn, then collect the tax from the purchaser of said cigarettes. The tax shall be paid to the person required to collect it as trustee for and on account of the County of Cook.

(d) Un-mutilated or un-altered tax stamps. It shall be unlawful for any retail tobacco dealer to purchase cigarettes from any person unless each package bears an un-mutilated tax stamp affixed thereto and cancelled thereon in the manner required by this article and the rules and regulations of the Department. Possession by a retail tobacco dealer of cigarettes having no stamp affixed and cancelled shall give rise to the prima facie presumption that such cigarettes are possessed by him in violation of the provisions of this article.

(e) The unlawful sale of cigarettes. It shall be unlawful for any wholesale tobacco dealer to sell cigarettes to any person, other than to another registered Cook County wholesale tobacco dealer, unless each package bears an unmutilated Cook County tax stamp affixed, or where the selling wholesale tobacco dealer, or its agent, delivers the unstamped cigarettes to a location outside Cook County.

(f) The unlawful sale of cigarettes. It shall be unlawful for any wholesale or retail tobacco dealer or person to break or otherwise open any cigarette package to sell or distribute individual cigarettes or a number of unpackaged cigarettes that is smaller than the minimum package size of 20 cigarettes or any quantity of cigarettes that is smaller than the smallest package distributed by the manufacturer for individual consumer use.

(g) Tip line. The Director shall establish a system for receiving citizen reports of "possession for sale of cigarettes without tax stamps." Such system may include but not be limited to a telephone and/or text number tip line, and a website with an email address. The Director shall promulgate rules and regulations to assure a citizen's anonymity. Any citizen who furnishes information, on forms prescribed by the Department, information that leads to a finding and the collection of a tax liability for the possession of cigarettes without tax stamps, the Director or his designee may provide for the citizen to receive a reward of up to but in no event higher than \$500 for each such finding and tax collection. No Cook County employee shall be eligible for any reward authorized by this section.

Sec. 74-433. Internet, mail order and outside-of-county purchases.

With respect to cigarettes or tobacco products purchased over the internet, by mail order or outside the County, if the tax on cigarettes and tobacco products which is imposed pursuant to this article, as amended, has not been paid by a wholesaler or retailer prior to use or possession of the cigarette or tobacco product by a person within the County of Cook, such person shall be obligated to make payment of the tax directly to the Department. Within 30 days of purchase, such person shall file a return with the Department of Revenue and pay the tax due under this article, as amended.

Sec. 74-434. Failure to file a return and/or pay tax.

In case of failure to file a tax return and pay this tax when due the Department may assess penalties and interest as provided for in the Cook County Uniform ~~Penalty~~ Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Sec. 74-435. Rule making.

(a) The Department shall prescribe reasonable rules, definitions, and regulations necessary to carry out the duties imposed upon it by this article. Such rules, definitions, and regulations shall include, but not be limited to, reasonable procedures consistent with existing practices of wholesale tobacco and retail tobacco dealers for collection and remittance of the tax herein levied.

(b) The Department may appoint wholesale tobacco dealers and any other person within or without the County of Cook as agents for the tax herein levied. The Department is hereby authorized to grant a commission not exceeding ~~one half of one percent of the tax due to~~ .0045 or .45% per cigarette tax stamp sold by the County of Cook to such agent for services rendered in connection with the tax herein levied in ~~Section 3~~ [Section 74-432], provided said tax is remitted, in full, by the due date.

(c) Within 30 days after the effective date of this article every wholesale tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of cigarettes in their possession or control on March 1, 2006. With said inventory, the wholesale tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all stamped cigarettes which were in such wholesale tobacco dealer's possession on March 1, 2006.

(d) Within 30 days after the effective date of this article every retail tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of cigarettes in their possession or control on March 1, 2006. With said inventory, the retail tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all cigarettes which were in such retail tobacco dealer's possession on March 1, 2006.

(e) Within 30 days after the effective date of this article every retail tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of tobacco products in their possession or control on June 1, 2006. With said inventory, the retail tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all tobacco products which were in such retail tobacco dealer's possession on June 1, 2006.

Sec. 74-436. Cigarette tax stamps; agents; and used and unused stamps.

(a) Cigarette tax stamps. The Department shall contract for and furnish tax stamps of such denominations and quantities as may be necessary for the payment of the tax imposed on cigarettes by this article, and may, from time to time, provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design.

(b) Agents. The Department may appoint wholesale tobacco dealers of cigarettes and any other person within or without the County as agents to affix stamps to be used in paying the tax hereby imposed on cigarettes and said agent is hereby authorized to appoint other persons in his employ who are to affix said stamps to any cigarettes under his control in the manner prescribed by the rules and regulations promulgated by the Department. Whenever the Department shall sell, consign or deliver to any such agent any such stamps, such agent shall be entitled to receive compensation for his services and expenses in affixing such stamps, and to retain use of the monies to be paid by him for such stamps as a commission. The Department is hereby authorized to prescribe a schedule of commissions not exceeding five percent allowable to such agent for affixing such stamps. Such schedule shall be uniform for each type and denomination of stamp used and may be on a graduated scale with respect to the number of stamps purchased. The Department may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of sale, consignment, or delivery of such stamps to such agent, provided a bond or bank letter of credit satisfactory to the Department and approved as to form and legality by the State's Attorney shall be submitted by said agent to the Department, in an amount equal to the value of such stamps. The Department, with approval from the State's Attorney, shall issue regulations pursuant to Section 74-435 regarding the use of such bonds or bank letters of credit.

(c) Used and unused stamps. The Department may redeem unused tax stamps lawfully on the possession of any person. Any person seeking credit and/or a refund for unused tax stamps, tax stamps affixed to packages of cigarettes returned to a manufacturer, or for the replacement of tax stamps, must file a claim in writing on forms prescribed by the Department. This form must be filed with the department no later than 12 months after the month in which the tax remittance or tax payment was made to the Department. The United States post mark date or date of physical/actual receipt is used, by the Department, to determine if a credit or refund is filed timely. No person shall sell or offer for sale any stamp issued under this article, except by written permission of the Department. The Department may prescribe rules and regulations concerning refunds, sales of stamps and redemption under the provisions of this article.

Sec. 74-437. Registration of wholesale and retail tobacco dealers.

A person commencing business as a wholesale or retail tobacco dealer within Cook County after the adoption of this article, as amended shall register with the Department within 20 days after the effective date of this article or commencement of business.

Sec. 74-438. Tax free sales.

Wholesale tobacco dealers doing business in Cook County shall not pay or collect a tax with respect to cigarettes and/or tobacco products which are otherwise subject to the tax when the cigarettes and/or tobacco products are being sold to the following:

(a) Another wholesale tobacco dealer holding a valid Cook County tobacco wholesalers registration certificate; and

(b) A wholesale tobacco dealer or a retail tobacco dealer in the event, the selling wholesale tobacco dealer, or its agent, delivers the cigarettes or other tobacco products to a location outside of Cook County.

Sec. 74-439. Books and records to be kept.

(a) Records of deliveries. At the time of delivering cigarettes to any person doing business in the County of Cook, it shall be the duty of every wholesale tobacco dealer to make a true triplicate invoice, numbered serially, showing the date of delivery, the number of packages, the number of cigarettes contained therein in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made. The wholesaler shall issue one copy of the invoice to the purchaser, and shall retain one legible copy of the same for the use and inspection of the Department for the period of time as provided for in the Cook County Uniform ~~Penalty~~ Penalties, Interest and Procedure Ordinance [Section 34-60 et seq.].

(b) *Quarterly returns.* A sworn quarterly eCigarette ~~tax~~ Revenue Information return shall be filed by ~~said each~~ wholesale tobacco dealer with the Department, on forms prescribed by the Department. ~~The dates upon which said quarterly returns are to be filed shall be provided by rules and regulations promulgated by the Department.~~ The return shall be filed on or before the last day of the first month following the preceding quarter. Every wholesale tobacco dealer required to file a tax return under this section, who does not file such tax return by its due date, or alternatively does not provide all required information on such tax return, shall be subject to the penalties that are provided for in Sec. 74-446 of this Article in addition to all other penalties and interest that may be due as provided in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.]. Quarterly returns, books and records, papers and original source documents that provides support for the information that is included in the return filed, with the Department, shall be kept for the period as provided in the Cook County Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

(c) ~~Other~~ *Maintaining books and records.* It shall be the duty of all wholesale tobacco dealers, retail dealers and persons required by this article to collect and/or to pay the taxes herein imposed to keep and maintain all books, papers and records related to all transactions taxable under this article and to make such records available to the Director ~~or a~~ duly authorized representative who has been appointed, by the Director, on request for inspection, audit and/or copying during regular business hours. The Department shall promulgate rules and regulations specifying the records that shall be kept by wholesale tobacco dealers, retail dealers and persons required by this article to collect and or/pay the taxes herein imposed, and may prescribe any forms appropriate in furtherance of this article. Books, papers and records which relate to a return filed or required to be filed with the Department shall be kept for the period as provided for in the Cook County Uniform ~~Penalty~~ Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.]. The burden shall be on the tax collector and tax payer to keep records which verify the basis for any and all transactions which are claimed to be exempt from taxation pursuant to Section 74-438 of this article.

Sec. 74-440. ~~Counterfeit or altered tax stamps~~ Inspections.

~~Every person who shall falsely make, alter, forge or counterfeit any tax stamp, or who, with intent to defraud the County, shall affix or cause to be affixed any counterfeit or altered stamp to any package of cigarettes, knowing said stamp to be counterfeit or altered, shall be guilty of a Class B misdemeanor, in addition to any other criminal penalties which may be applicable under Illinois or Federal law.~~

Books and records kept in compliance with Sec. 439 of this Ordinance shall be made available to the Department upon request for inspection and/or copying during regular business hours. Representatives of the Department shall be permitted to inspect or audit cigarette inventory in or upon any premises. An audit or inspection may include the physical examination of the cigarettes, packaging or the cigarette tax stamps. It shall be unlawful for any person to prevent or hinder a duly authorized Department representative from performing the enforcement duties provided in this article.

Sec. 74-441. ~~Single state and county stamp; monthly tax return~~ Posting of signs.

(a) ~~Notwithstanding the provisions of Subsections 74-432(b) and (d), and Subsection 74-436(a) of this article, the Department may provide by regulation that the tax imposed by this article shall, in the alternative, be collected by means of the issuance and sale of a single tax stamp to be prepared jointly with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) evidencing the payment of the tax imposed by this article. Toward that end, the Department may make such arrangements and agreements with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) as may be required with respect to the method of acquiring, affixing, canceling and the manner of sharing the cost of such joint single tax stamps, and may establish procedures for payment of that portion of the tax revenue collected by the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) due and payable to the County of Cook, in furtherance of the purposes of this article. In the event such alternative method as herein provided is utilized, no other method of collecting said tax may be used within the relevant jurisdiction; however, all other applicable provisions of this article shall nevertheless remain in full force and effect.~~

(b) ~~Notwithstanding the provisions of Subsections 74-432(b) and (d), Subsection 74-436(a) and subsection (a) of this section, the Department may provide by regulation that the tax imposed on cigarettes by this article, in the alternative, shall be collected by means of the filing of a sworn tax return to be prepared and filed by every wholesale tobacco dealer who sells cigarettes for consumption in the County of Cook. Said return shall be filed on a monthly basis and shall contain the same information required by Subsection 74-436(b) of this article. Said return shall be filed with the Department on or before the fifteenth day of each month stating such other and further information as may be required by the Department, and said return shall be accompanied by a certified check in the amount of the tax due and payable upon such taxable sales made by said wholesale tobacco dealer in the County of Cook during the preceding month. In the event such alternative method is utilized, no other method of collecting said tax may be used; however, all other applicable provisions of this article shall remain in full force and effect with the exception of the necessity of filing a quarterly tax return as provided in Subsection 74-439(b) of this article, which shall not be required.~~

Every retail tobacco dealer may be required to post a sign that has been prescribed and issued by the Department, stating that it is against the law to sell or purchase unstamped packages of cigarettes. The Director will provide the wording and specifications for this sign. The sign shall be posted at the retailer's place of business in a conspicuous location, so that it can be seen by anyone purchasing cigarettes.

Sec. 74-442. ~~Mutilation of tax stamps~~ Counterfeit or altered tax stamps.

~~It is unlawful for any person to mutilate a tax stamp herein required on any package of cigarettes before it is sold by a retail tobacco dealer.~~

Every person who shall falsely make, alter, forge or counterfeit any tax stamp, or who, with intent to defraud the County, shall affix or cause to be affixed any counterfeit or altered stamp to any package of cigarettes, knowing said stamp to be counterfeit or altered, shall be guilty of a Class B misdemeanor, in addition to any other criminal penalties which may be applicable under Illinois or Federal law.

Sec. 74-443. ~~Seizure, sale and redemption of unstamped cigarettes~~ Single state and county stamp and monthly tax return.

~~Whenever the Department or any of its duly authorized representatives shall discover any cigarettes subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, they are hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale which, except for money contained in such vending machine or receptacle, shall thereupon be deemed to be forfeited to the County of Cook. The Department may, within a reasonable time, thereafter, by a public notice given at least five days before the date of the sale, sell such forfeited cigarettes and vending machines or receptacles at public sale and pay the proceeds to the Treasurer of the County of Cook. In the alternative, the Department, shall either destroy or on reasonable notice, may permit the person from whom said cigarettes were seized, to redeem the same and any vending machine or receptacle seized therewith, by the payment of the tax due together with a penalty 50 percent, thereof, and the cost incurred in such proceeding, provided, however, that such seizure, destruction, and sale, or redemption shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this article.~~

(a) Single state and county stamp. Notwithstanding the provisions of Subsections 74-432(b) and (d), and Subsection 74-436(a) of this article, the Department may provide by regulation that the tax imposed by this article shall, in the alternative, be collected by means of the issuance and sale of a single tax stamp to be prepared jointly with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) evidencing the payment of the tax imposed by this article. Toward that end, the Department may make such arrangements and agreements with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) as may be required with respect to the method of acquiring, affixing, canceling and the manner of sharing the cost of such joint single tax stamps, and may establish procedures for payment of that portion of the tax revenue collected by the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) due and payable to the County of Cook, in furtherance of the purposes of this article. In the event such alternative method as herein provided is utilized, no other method of collecting said tax may be used within the relevant jurisdiction; however, all other applicable provisions of this article shall nevertheless remain in full force and effect.

(b) Monthly tax return. Notwithstanding the provisions of Subsections 74-432(b) and (d), Subsection 74-436(a) and subsection (a) of this section, the Department may provide by regulation that the tax imposed on cigarettes by this article, in the alternative, shall be collected by means of the filing of a sworn tax return to be prepared and filed by every wholesale tobacco dealer who sells cigarettes for consumption in the County of Cook. Said return shall be filed on a monthly basis and shall contain the same information required by Subsection 74-436(b) of this article. Said return shall be filed with the Department on or before the fifteenth day of each month stating such other and further information as may be required by the Department, and said return shall be accompanied by a certified check in the amount of the tax due and payable upon such taxable sales made by said wholesale tobacco dealer in the County of Cook during the preceding month. In the event such alternative method is utilized, no other method of collecting said tax may be used; however, all other applicable provisions of this article shall remain in full force and effect with the exception of the necessity of filing a quarterly tax return as provided in Subsection 74-439(b) of this article, which shall not be required.

Sec. 74-444. ~~Transmittal of excess tax collections~~ Mutilation of tax stamps.

~~In the event a person collects an amount in excess of the tax imposed by this article, as amended, which amount is purported to be a collection thereof, and said person fails to return the said excess amount to the purchaser who paid the tax, the said person who collected the tax shall account for and pay over all such excess amounts to the Department along with the tax properly collected.~~

It is unlawful for any person to mutilate a tax stamp herein required on any package of cigarettes before it is sold by a retail tobacco dealer.

Sec. 74-445. ~~Deposit of tax proceeds~~ Seizure, unstamped or improperly stamped cigarette penalty, and cigarette redemption penalty.

~~All proceeds resulting from the imposition of the tax under this article, including penalties, shall be paid to the Department. The Department shall direct every dollar collected from the 2006 increase in the rate of the Home Rule Tobacco Tax to be deposited into the funds of the Cook County Bureau of Health.~~

(a) *Seizure.* Whenever the Department or any of its duly authorized representatives shall discover any cigarettes subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, they are hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale which, except for money contained in such vending machine or receptacle, shall thereupon be deemed to be forfeited to the County of Cook.

(b) *Unstamped or improperly stamped cigarette penalty.* Notwithstanding any penalties provided for in the Uniform Penalties, Interest and Procedures Ordinance, the Department shall require the wholesale tobacco and/or retail dealers to pay \$500.00 or a \$25.00 per package penalty (see below), and including any fees for the seizure and storage of any seized cigarette packages, cigarette-vending machines or receptacles. Any person who is assessed said penalty shall be entitled to protest and request a hearing pursuant to the provisions in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Unstamped or improperly stamped cigarette penalty

| Number of Cigarette Packages Confiscated | | Penalty Amount |
|---|---|----------------------|
| 1 to 20 | = | \$500.00 |
| 21 or more | = | \$ 25.00 per package |

(c) *Cigarette redemption penalty.* The Department may, within a reasonable time, thereafter, by a public notice given at least five days before the date of the sale, sell such forfeited cigarettes and vending machines or receptacles at public sale and pay the proceeds to the Treasurer of the County of Cook. In the alternative, the Department, shall either destroy or on reasonable notice, may permit the Wholesale Tobacco Dealer from whom the said cigarettes were seized, to redeem the cigarettes and/or any vending machine or receptacle seized therewith, by the payment of a Redemption Penalty equal to 50 percent of the tax due, and including the cost incurred in such proceeding. Such seizure, destruction, and sale, or redemption shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this article.

Sec. 74-446. Penalties Transmittal of excess tax collections.

~~Any person determined to have violated this article, as amended, shall be subject to a fine of \$500.00 for the first offense, and a fine of \$1,000.00 for the second and each subsequent offense in any 180-day period. Any person determined to have violated this article, as amended, on three or more occasions within any 180-day period shall be subject to prosecution for a Class B misdemeanor. Criminal prosecutions pursuant to this article, as amended, shall in no way preclude the County from instituting civil proceedings to recover delinquent taxes, interest and penalties due and owing, as well as costs incurred for such proceeding. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof.~~

In the event a person collects an amount in excess of the tax imposed by this article, as amended, which amount is purported to be a collection thereof, and said person fails to return the said excess amount to the purchaser who paid the tax, the said person who collected the tax shall account for and pay over all such excess amounts to the Department along with the tax properly collected.

Sec. 74-447. Deposit of tax proceeds.

All proceeds resulting from the imposition of the tax under this article, including penalties, shall be paid to the Department. The Department shall direct every dollar collected from the 2006 increase in the rate of the Home Rule Tobacco Tax to be deposited into the funds of the Cook County Bureau of Health.

Sec. 74-448. Penalties.

Any person determined to have violated this article, as amended, may be subject to a fine of one thousand dollars (\$1,000.00) for the first offense, and a fine of two thousand dollars (\$2000.00) for the second and each subsequent offense. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof. The tax required in this article to be collected by any wholesale or retail tobacco dealer pursuant to this article shall constitute a debt owed by such wholesale or retail tobacco dealer to the County.

Effective Date: This Ordinance, as amended, shall take effect and be in force upon passage.

*** Referred to the Committee on Finance on 12/17/08.**

NOTE: President Stroger has submitted additional amendments to Sections 74-432 and 74-445. The additional amendments are identified with bold, strikethrough and/or double underlined text, as follows:

AMENDMENT TO SECTION 74-432

Sec. 74-432. Cigarette tax imposed; tax stamps purchases; tax collection; un-mutilated or un-altered tax stamps; the unlawful sale of cigarettes, and tip line.

(g) Tip line. The Director shall establish a system for receiving citizen reports of “possession for sale of cigarettes without tax stamps.” Such system may include but not be limited to a telephone and/or text number tip line, and a website with an email address. The Director shall promulgate rules and regulations to assure a citizen’s anonymity. Any citizen who furnishes information, on forms prescribed by the Department, information that leads to a finding and the collection of a tax liability and/or violation for the possession of cigarettes without tax stamps, the Director or his designee may provide for the citizen to receive a reward of up to but in no event higher than \$500-\$1,000 for each such finding and tax or violation collection. No Cook County employee shall be eligible for any reward authorized by this section.

AMENDMENT TO SECTION 74-445

Sec. 74-445. ~~Deposit of tax proceeds~~ Seizure, unstamped or improperly stamped cigarette penalty, and cigarette redemption penalty.

(b) Unstamped or improperly stamped cigarette penalty. Notwithstanding any penalties provided for in the Uniform Penalties, Interest and Procedures Ordinance, the Department shall require the wholesale tobacco and/or retail dealers to pay ~~\$500.00~~ \$1,000.00 or a \$25.00 per package penalty (see below), and including any fees for the seizure and storage of any seized cigarette packages, cigarette-vending machines or receptacles. Any person who is assessed said penalty shall be entitled to protest and request a hearing pursuant to the provisions in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Unstamped or improperly stamped cigarette penalty

| Number of Cigarette Packages Confiscated | Penalty Amount |
|---|---|
| <u>1 to 20 40</u> | <u>= \$500.00 \$1,000.00</u> |
| <u>21 41 or more</u> | <u>= \$ 25.00 per package</u> |

COMMISSIONER MORENO, SECONDED BY COMMISSIONER MALDONADO, MOVED THAT THE ORDINANCE AMENDMENT (COMMUNICATION NO. 297772) BE APPROVED AND ADOPTED.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MORENO, MOVED TO AMEND SECTION 74-432 AND SECTION 74-445, INDICATED IN BOLD WITH STRIKETHROUGH OR DOUBLE UNDERLINED TEXT, AS FOLLOWS:

AMENDMENT TO SECTION 74-432

Sec. 74-432. Cigarette tax imposed; tax stamps purchases; tax collection; un-mutilated or un-altered tax stamps; the unlawful sale of cigarettes, and tip line.

(g) *Tip line.* The Director shall establish a system for receiving citizen reports of “possession for sale of cigarettes without tax stamps.” Such system may include but not be limited to a telephone and/or text number tip line, and a website with an email address. The Director shall promulgate rules and regulations to assure a citizen’s anonymity. Any citizen who furnishes information, on forms prescribed by the Department, information that leads to a finding and the collection of a tax liability **and/or violation** for the possession of cigarettes without tax stamps, the Director or his designee may provide for the citizen to receive a reward of up to but in no event higher than ~~\$500~~ **\$1,000** for each such finding and tax **or violation** collection. No Cook County employee shall be eligible for any reward authorized by this section.

AMENDMENT TO SECTION 74-445

Sec. 74-445. ~~Deposit of tax proceeds~~ Seizure, unstamped or improperly stamped cigarette penalty, and cigarette redemption penalty.

(b) *Unstamped or improperly stamped cigarette penalty.* Notwithstanding any penalties provided for in the Uniform Penalties, Interest and Procedures Ordinance, the Department shall require the wholesale tobacco and/or retail dealers to pay ~~\$500.00~~ **\$1,000.00** or a \$25.00 per package penalty (see below), and including any fees for the seizure and storage of any seized cigarette packages, cigarette-vending machines or receptacles. Any person who is assessed said penalty shall be entitled to protest and request a hearing pursuant to the provisions in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Unstamped or improperly stamped cigarette penalty

| Number of Cigarette Packages Confiscated | Penalty Amount |
|---|---|
| <u>1 to 20 40</u> | = \$500.00 \$1,000.00 |
| <u>21 41 or more</u> | = \$ 25.00 per package |

THE MOTION TO AMEND SECTION 74-432 AND SECTION 74-445 CARRIED.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED THAT THE ORDINANCE AMENDMENT (COMMUNICATION NO. 297772) BE APPROVED AND ADOPTED, AS AMENDED. THE MOTION CARRIED.

**09-O-15
ORDINANCE**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

AN AMENDMENT TO THE ORDINANCE PROVIDING FOR A TAX ON TOBACCO

WHEREAS, the County of Cook is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule powers, the Cook County Board of Commissioners adopted an Ordinance to provide for a tax on the retail sale of cigarettes (“Retail Sale of Cigarettes Tax Ordinance”) on June 1, 1980 and has adopted subsequent amendments; and

WHEREAS, Cook County expends significant resources in the treatment of tobacco related illnesses; and

WHEREAS, the Cook County Board of Commissioners wishes to discourage the use of tobacco by residents of Cook County and to decrease the illegal consumption of tobacco by juveniles; and

WHEREAS, the Cook County Board of Commissioners wishes to make it unlawful to sell or distribute individual unpackaged cigarettes within Cook County; and

WHEREAS, the Cook County Board of Commissioners determined it to be in the best interest of the County that the Cook County Retail Sale of Tobacco Tax Ordinance be amended to require, for enforcement and audit purposes, both wholesale and retail tobacco dealers, to register with Cook County; and

WHEREAS, the Cook County Board of Commissioners wishes to establish a system for receiving citizen reports of “possession for sale of cigarettes without tax stamps” such system may include but not be limited to a telephone and/or text number tip line; and

WHEREAS, the Cook County Board of Commissioners seeks to eliminate the repetitive illegal possession of counterfeit, unstamped or improperly stamped packages of cigarettes in Cook County by imposing a new per package penalty that would require a wholesale tobacco dealer, retail tobacco dealer, or vending machine operator to pay a \$25.00 penalty for each unstamped or improperly stamped package of cigarettes that are in their possession; and

WHEREAS, the Cook County Board of Commissioners seeks to impose a Wholesale Tobacco Dealer redemption penalty equal to 50% of the tax due and increase the general violation penalties from \$500.00 to \$1,000.00 for first time offenders, and from \$1,000.00 to \$2,000.00 for the second and each subsequent offense; and

WHEREAS, the Cook County Board of Commissioners seek to impose a statute of limitations period of “one year” for persons requesting a credit or refund for tax stamps affixed to packages of cigarettes returned to the manufacturer, or damaged tax stamps or expired tax stamps.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XI Tobacco Tax, Sections 74-430 through 74-448 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 74-430. Short title; definitions.

This article may be cited as the "Cook County Tobacco Tax Ordinance".

Sec. 74-431. Definitions.

For the purpose of this article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this section.

Chewing tobacco means any leaf tobacco that is not intended to be smoked.

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Cigar means any roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco (other than any roll of tobacco which is a cigarette as defined in this article).

Cigarette means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether such tobacco is flavored, adulterated or mixed with any other ingredient, or not, and the wrapper of which is made of paper or any other substance or material except tobacco.

Department means the Department of Revenue within the Bureau of Finance of the County of Cook.

Director means the Director of the Department of Revenue.

Manufacturer means any person who makes or fabricates cigarettes and/or tobacco products and sells them.

Package means the original packet, box, tin or container whatsoever used to contain and to convey cigarettes and/or tobacco products to the consumer.

Person means any natural person, trustee, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agency, government corporation, municipal corporation, district or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner, or any officers, agents, employees, or other representative, acting either for himself or for any other person in any capacity, or any other entity recognized by law as the subject of rights and duties. The masculine, feminine, singular or plural is included in any circumstances.

Pipe tobacco includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

Premises means, but is not limited to, buildings, vehicles or any place where cigarette inventory is possessed, stored or sold.

Retail tobacco dealer means any person who engages in the business of selling cigarettes and/or tobacco products in the County of Cook to a purchaser for use or consumption and not for resale in any form.

Roll-your-own tobacco includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.

Sale, resale, selling means any transfer of ownership or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever for a valuable consideration.

Smokeless tobacco includes any snuff, chewing tobacco, or other tobacco products not intended to be smoked.

Snuff means any finely cut, ground or powered tobacco that is not intended to be smoked.

Stamp means paper or other material with an imprint or decalcomania device thereon, of such size, design, color and denominations as may be prescribed and procured by the Department which, when affixed to a package of cigarettes, shall evidence payment of the tax thereon, as provided by this article.

Tobacco products includes, but is not limited to, any cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff or snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweeping of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both chewing and smoking; but does not include cigarettes or tobacco purchased for the manufacture of cigarettes by cigarette wholesale tobacco dealers and manufacturers as defined in this article.

Unit means any division of quantity that may be used as a standard to measure the quantity sold based on length, width, weight such as pounds, ounces and/or grams or volume or some other similar unit of measure, including but not limited to per item.

Use means any exercise of a right or power, actual or constructive, and shall include but is not limited to the receipt, storage, or any keeping or retention for any length of time, but shall not include possession for sale by a retail or wholesale tobacco dealer as defined in this article.

Wholesale tobacco dealer means any person who engages in the business of selling or supplying cigarettes, and/or tobacco products, who brings into the County, cigarettes, to any person for resale in or outside the County of Cook. For the purposes of this article, wholesale tobacco dealers also include ~~tobacco retailers~~ cigarette distributors who are licensed with the State of Illinois (35 ILCS 143/10-20). (Ord. No. 06-O-07, § 1, 2-9-2006.)

Sec. 74-432. Cigarette tax imposed; tax stamps purchases; tax collection; un-mutilated or un-altered tax stamps; the unlawful sale of cigarettes, and tip line.

(a) Cigarette tax imposed. A tax at the rate of 100 mils or \$0.10 per cigarette is hereby imposed upon all cigarettes possessed for sale and upon the use of all cigarettes within the County of Cook, the ultimate incidence of and liability for payment of said tax to be borne by the consumer of said cigarettes. The tax imposed hereby at the rate of 100 mils or \$0.10 per cigarette shall become in force and effect on March 1, 2006. The tax herein levied shall be in addition to any and all other taxes.

(b) Tax stamp purchases. The tax imposed in this section shall be paid by purchase of tax stamps from the Department, except as otherwise provided in Section 74-441(a) and (b) of this article. The Department shall only sell Cook County cigarette tax stamps to cigarette distributors who are licensed with the State of Illinois. It shall be the duty of every wholesale tobacco dealer, before delivering or causing to be delivered any cigarettes to a retail tobacco dealer in the County of Cook to purchase from the Department a tax stamp for each package of cigarettes and to cancel said stamps prior to the delivery of such cigarettes to any retail tobacco dealer in the County of Cook. Said stamps shall be affixed and cancelled in the manner prescribed by rules and regulations of the Department. Any stamp which is defective or unused may be returned to the Department by a wholesale tobacco dealer, who shall thereafter be credited or reimbursed with the amount paid to the Department for such stamps.

(c) Tax collection. Any wholesale tobacco dealer who shall pay the tax levied by this article to the Department shall collect the tax from any retail tobacco dealer to whom the sale of said cigarettes is made, and any retail tobacco dealer shall, in turn, then collect the tax from the purchaser of said cigarettes. The tax shall be paid to the person required to collect it as trustee for and on account of the County of Cook.

(d) Un-mutilated or un-altered tax stamps. It shall be unlawful for any retail tobacco dealer to purchase cigarettes from any person unless each package bears an un-mutilated tax stamp affixed thereto and cancelled thereon in the manner required by this article and the rules and regulations of the Department. Possession by a retail tobacco dealer of cigarettes having no stamp affixed and cancelled shall give rise to the prima facie presumption that such cigarettes are possessed by him in violation of the provisions of this article.

(e) The unlawful sale of cigarettes. It shall be unlawful for any wholesale tobacco dealer to sell cigarettes to any person, other than to another registered Cook County wholesale tobacco dealer, unless each package bears an un-mutilated Cook County tax stamp affixed, or where the selling wholesale tobacco dealer, or its agent, delivers the unstamped cigarettes to a location outside Cook County.

(f) The unlawful sale of cigarettes. It shall be unlawful for any wholesale or retail tobacco dealer or person to break or otherwise open any cigarette package to sell or distribute individual cigarettes or a number of unpackaged cigarettes that is smaller than the minimum package size of 20 cigarettes or any quantity of cigarettes that is smaller than the smallest package distributed by the manufacturer for individual consumer use.

(g) Tip line. The Director shall establish a system for receiving citizen reports of "possession for sale of cigarettes without tax stamps." Such system may include but not be limited to a telephone and/or text number tip line, and a website with an email address. The Director shall promulgate rules and regulations to assure a citizen's anonymity. Any citizen who furnishes information, on forms prescribed by the Department, information that leads to a finding and the collection of a tax liability and/or violation for the possession of cigarettes without tax stamps, the Director or his designee may provide for the citizen to receive a reward of up to but in no event higher than ~~\$500.00~~ \$1,000.00 for each such finding and tax or violation collection. No Cook County employee shall be eligible for any reward authorized by this section.

Sec. 74-433. Internet, mail order and outside-of-county purchases.

With respect to cigarettes or tobacco products purchased over the internet, by mail order or outside the County, if the tax on cigarettes and tobacco products which is imposed pursuant to this article, as amended, has not been paid by a wholesaler or retailer prior to use or possession of the cigarette or tobacco product by a person within the County of Cook, such person shall be obligated to make payment of the tax directly to the Department. Within 30 days of purchase, such person shall file a return with the Department of Revenue and pay the tax due under this article, as amended.

Sec. 74-434. Failure to file a return and/or pay tax.

In case of failure to file a tax return and pay this tax when due the Department may assess penalties and interest as provided for in the Cook County Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Sec. 74-435. Rule making.

(a) The Department shall prescribe reasonable rules, definitions, and regulations necessary to carry out the duties imposed upon it by this article. Such rules, definitions, and regulations shall include, but not be limited to, reasonable procedures consistent with existing practices of wholesale tobacco and retail tobacco dealers for collection and remittance of the tax herein levied.

(b) The Department may appoint wholesale tobacco dealers and any other person within or without the County of Cook as agents for the tax herein levied. The Department is hereby authorized to grant a commission not exceeding ~~one-half of one percent of the tax due to~~ .0045 or .45% per cigarette tax stamp sold by the County of Cook to such agent for services rendered in connection with the tax herein levied in ~~Section 3~~ [Section 74-432], provided said tax is remitted, in full, by the due date.

(c) Within 30 days after the effective date of this article every wholesale tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of cigarettes in their possession or control on March 1, 2006. With said inventory, the wholesale tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all stamped cigarettes which were in such wholesale tobacco dealer's possession on March 1, 2006.

(d) Within 30 days after the effective date of this article every retail tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of cigarettes in their possession or control on March 1, 2006. With said inventory, the retail tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all cigarettes which were in such retail tobacco dealer's possession on March 1, 2006.

(e) Within 30 days after the effective date of this article every retail tobacco dealer doing business in the County of Cook shall file with the Department, on forms prescribed by it, a sworn inventory of tobacco products in their possession or control on June 1, 2006. With said inventory, the retail tobacco dealer shall pay to the Cook County Collector the taxes due, including any additional taxes due as a result of this article, as amended, with respect to all tobacco products which were in such retail tobacco dealer's possession on June 1, 2006.

Sec. 74-436. Cigarette tax stamps; agents; and used and unused stamps.

(a) Cigarette tax stamps. The Department shall contract for and furnish tax stamps of such denominations and quantities as may be necessary for the payment of the tax imposed on cigarettes by this article, and may, from time to time, provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design.

(b) Agents. The Department may appoint wholesale tobacco dealers of cigarettes and any other person within or without the County as agents to affix stamps to be used in paying the tax hereby imposed on cigarettes and said agent is hereby authorized to appoint other persons in his employ who are to affix said stamps to any cigarettes under his control in the manner prescribed by the rules and regulations promulgated by the Department. Whenever the Department shall sell, consign or deliver to any such agent any such stamps, such agent shall be entitled to receive compensation for his services and expenses in affixing such stamps, and to retain use of the monies to be paid by him for such stamps as a commission. The Department is hereby authorized to prescribe a schedule of commissions not exceeding five percent allowable to such agent for affixing such stamps. Such schedule shall be uniform for each type and denomination of stamp used and may be on a graduated scale with respect to the number of stamps purchased. The Department may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of sale, consignment, or delivery of such stamps to such agent, provided a bond or bank letter of credit satisfactory to the Department and approved as to form and legality by the State's Attorney shall be submitted by said agent to the Department, in an amount equal to the value of such stamps. The Department, with approval from the State's Attorney, shall issue regulations pursuant to Section 74-435 regarding the use of such bonds or bank letters of credit.

(c) Used and unused stamps. The Department may redeem unused tax stamps lawfully on the possession of any person. Any person seeking credit and/or a refund for unused tax stamps, tax stamps affixed to packages of cigarettes returned to a manufacturer, or for the replacement of tax stamps, must file a claim in writing on forms prescribed by the Department. This form must be filed with the department no later than 12 months after the month in which the tax remittance or tax payment was made to the Department. The United States post mark date or date of physical/actual receipt is used, by the Department, to determine if a credit or refund is filed timely. No person shall sell or offer for sale any stamp issued under this article, except by written permission of the Department. The Department may prescribe rules and regulations concerning refunds, sales of stamps and redemption under the provisions of this article.

Sec. 74-437. Registration of wholesale and retail tobacco dealers.

A person commencing business as a wholesale or retail tobacco dealer within Cook County after the adoption of this article, as amended shall register with the Department within 20 days after the effective date of this article or commencement of business.

Sec. 74-438. Tax free sales.

Wholesale tobacco dealers doing business in Cook County shall not pay or collect a tax with respect to cigarettes and/or tobacco products which are otherwise subject to the tax when the cigarettes and/or tobacco products are being sold to the following:

- (a) Another wholesale tobacco dealer holding a valid Cook County tobacco wholesalers registration certificate; and
- (b) A wholesale tobacco dealer or a retail tobacco dealer in the event, the selling wholesale tobacco dealer, or its agent, delivers the cigarettes or other tobacco products to a location outside of Cook County.

Sec. 74-439. Books and records to be kept.

(a) Records of deliveries. At the time of delivering cigarettes to any person doing business in the County of Cook, it shall be the duty of every wholesale tobacco dealer to make a true triplicate invoice, numbered serially, showing the date of delivery, the number of packages, the number of cigarettes contained therein in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made. The wholesaler shall issue one copy of the invoice to the purchaser, and shall retain one legible copy of the same for the use and inspection of the Department for the period of time as provided for in the Cook County Uniform Penalties, Interest and Procedure Ordinance [Section 34-60 et seq.].

(b) Quarterly returns. A sworn quarterly ~~e~~Cigarette ~~tax~~ Revenue Information return shall be filed by ~~said each~~ wholesale tobacco dealer with the Department, on forms prescribed by the Department. ~~The dates upon which said quarterly returns are to be filed shall be provided by rules and regulations promulgated by the Department.~~ The return shall be filed on or before the last day of the first month following the preceding quarter. Every wholesale tobacco dealer required to file a tax return under this section, who does not file such tax return by its due date, or alternatively does not provide all required information on such tax return, shall be subject to the penalties that are provided for in Sec. 74-446 of this Article in addition to all other penalties and interest that may be due as provided in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.]. Quarterly returns, books and records, papers and original source documents that provides support for the information that is included in the return filed, with the Department, shall be kept for the period as provided in the Cook County Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

(c) ~~Other~~ Maintaining books and records. It shall be the duty of all wholesale tobacco dealers, retail dealers and persons required by this article to collect and/or to pay the taxes herein imposed to keep and maintain all books, papers and records related to all transactions taxable under this article and to make such records available to the Director or a duly authorized representative who has been appointed, by the Director, on request for inspection, audit and/or copying during regular business hours. The Department shall promulgate rules and regulations specifying the records that shall be kept by wholesale tobacco dealers, retail dealers and persons required by this article to collect and or/pay the taxes herein imposed, and may prescribe any forms appropriate in furtherance of this article. Books, papers and records which relate to a return filed or required to be filed with the Department shall be kept for the period as provided for in the Cook County Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.]. The burden shall be on the tax collector and tax payer to keep records which verify the basis for any and all transactions which are claimed to be exempt from taxation pursuant to Section 74-438 of this article.

Sec. 74-440. ~~Counterfeit or altered tax stamps~~ Inspections.

~~Every person who shall falsely make, alter, forge or counterfeit any tax stamp, or who, with intent to defraud the County, shall affix or cause to be affixed any counterfeit or altered stamp to any package of cigarettes, knowing said stamp to be counterfeit or altered, shall be guilty of a Class B misdemeanor, in addition to any other criminal penalties which may be applicable under Illinois or Federal law.~~

Books and records kept in compliance with Sec. 439 of this Ordinance shall be made available to the Department upon request for inspection and/or copying during regular business hours. Representatives of the Department shall be permitted to inspect or audit cigarette inventory in or upon any premises. An audit or inspection may include the physical examination of the cigarettes, packaging or the cigarette tax stamps. It shall be unlawful for any person to prevent or hinder a duly authorized Department representative from performing the enforcement duties provided in this article.

Sec. 74-441. ~~Single state and county stamp; monthly tax return~~ Posting of signs.

~~(a) — Notwithstanding the provisions of Subsections 74-432(b) and (d), and Subsection 74-436(a) of this article, the Department may provide by regulation that the tax imposed by this article shall, in the alternative, be collected by means of the issuance and sale of a single tax stamp to be prepared jointly with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) evidencing the payment of the tax imposed by this article. Toward that end, the Department may make such arrangements and agreements with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) as may be required with respect to the method of acquiring, affixing, canceling and the manner of sharing the cost of such joint single tax stamps, and may establish procedures for payment of that portion of the tax revenue collected by the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) due and payable to the County of Cook, in furtherance of the purposes of this article. In the event such alternative method as herein provided is utilized, no other method of collecting said tax may be used within the relevant jurisdiction; however, all other applicable provisions of this article shall nevertheless remain in full force and effect.~~

~~(b) — Notwithstanding the provisions of Subsections 74-432(b) and (d), Subsection 74-436(a) and subsection (a) of this section, the Department may provide by regulation that the tax imposed on cigarettes by this article, in the alternative, shall be collected by means of the filing of a sworn tax return to be prepared and filed by every wholesale tobacco dealer who sells cigarettes for consumption in the County of Cook. Said return shall be filed on a monthly basis and shall contain the same information required by Subsection 74-436(b) of this article. Said return shall be filed with the Department on or before the fifteenth day of each month stating such other and further information as may be required by the Department, and said return shall be accompanied by a certified check in the amount of the tax due and payable upon such taxable sales made by said wholesale tobacco dealer in the County of Cook during the preceding month. In the event such alternative method is utilized, no other method of collecting said tax may be used; however, all other applicable provisions of this article shall remain in full force and effect with the exception of the necessity of filing a quarterly tax return as provided in Subsection 74-439(b) of this article, which shall not be required.~~

Every retail tobacco dealer may be required to post a sign that has been prescribed and issued by the Department, stating that it is against the law to sell or purchase unstamped packages of cigarettes. The Director will provide the wording and specifications for this sign. The sign shall be posted at the retailer's place of business in a conspicuous location, so that it can be seen by anyone purchasing cigarettes.

Sec. 74-442. ~~Mutilation of tax stamps~~ Counterfeit or altered tax stamps.

~~It is unlawful for any person to mutilate a tax stamp herein required on any package of cigarettes before it is sold by a retail tobacco dealer.~~

Every person who shall falsely make, alter, forge or counterfeit any tax stamp, or who, with intent to defraud the County, shall affix or cause to be affixed any counterfeit or altered stamp to any package of cigarettes, knowing said stamp to be counterfeit or altered, shall be guilty of a Class B misdemeanor, in addition to any other criminal penalties which may be applicable under Illinois or Federal law.

Sec. 74-443. ~~Seizure, sale and redemption of unstamped cigarettes~~ Single state and county stamp and monthly tax return.

~~Whenever the Department or any of its duly authorized representatives shall discover any cigarettes subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, they are hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale which, except for money contained in such vending machine or receptacle, shall thereupon be deemed to be forfeited to the County of Cook. The Department may, within a reasonable time, thereafter, by a public notice given at least five days before the date of the sale, sell such forfeited cigarettes and vending machines or receptacles at public sale and pay the proceeds to the Treasurer of the County of Cook. In the alternative, the Department, shall either destroy or on reasonable notice, may permit the person from whom said cigarettes were seized, to redeem the same and any vending machine or receptacle seized therewith, by the payment of the tax due together with a penalty 50 percent, thereof, and the cost incurred in such proceeding, provided, however, that such seizure, destruction, and sale, or redemption shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this article.~~

(a) Single state and county stamp. Notwithstanding the provisions of Subsections 74-432(b) and (d), and Subsection 74-436(a) of this article, the Department may provide by regulation that the tax imposed by this article shall, in the alternative, be collected by means of the issuance and sale of a single tax stamp to be prepared jointly with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) evidencing the payment of the tax imposed by this article. Toward that end, the Department may make such arrangements and agreements with the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) as may be required with respect to the method of acquiring, affixing, canceling and the manner of sharing the cost of such joint single tax stamps, and may establish procedures for payment of that portion of the tax revenue collected by the Department of Revenue of the State of Illinois (and/or the City Comptroller of the City of Chicago) due and payable to the County of Cook, in furtherance of the purposes of this article. In the event such alternative method as herein provided is utilized, no other method of collecting said tax may be used within the relevant jurisdiction; however, all other applicable provisions of this article shall nevertheless remain in full force and effect.

(b) Monthly tax return. Notwithstanding the provisions of Subsections 74-432(b) and (d), Subsection 74-436(a) and subsection (a) of this section, the Department may provide by regulation that the tax imposed on cigarettes by this article, in the alternative, shall be collected by means of the filing of a sworn tax return to be prepared and filed by every wholesale tobacco dealer who sells cigarettes for consumption in the County of Cook. Said return shall be filed on a monthly basis and shall contain the same information required by Subsection 74-436(b) of this article. Said return shall be filed with the Department on or before the fifteenth day of each month stating such other and further information as may be required by the Department, and said return shall be accompanied by a certified check in the amount of the tax due and payable upon such taxable sales made by said wholesale tobacco dealer in the County of Cook during the preceding month. In the event such alternative method is utilized, no other method of collecting said tax may be used; however, all other applicable provisions of this article shall remain in full force and effect with the exception of the necessity of filing a quarterly tax return as provided in Subsection 74-439(b) of this article, which shall not be required.

Sec. 74-444. ~~Transmittal of excess tax collections~~ Mutilation of tax stamps.

~~In the event a person collects an amount in excess of the tax imposed by this article, as amended, which amount is purported to be a collection thereof, and said person fails to return the said excess amount to the purchaser who paid the tax, the said person who collected the tax shall account for and pay over all such excess amounts to the Department along with the tax properly collected.~~

It is unlawful for any person to mutilate a tax stamp herein required on any package of cigarettes before it is sold by a retail tobacco dealer.

Sec. 74-445. ~~Deposit of tax proceeds~~ Seizure, unstamped or improperly stamped cigarette penalty, and cigarette redemption penalty.

~~All proceeds resulting from the imposition of the tax under this article, including penalties, shall be paid to the Department. The Department shall direct every dollar collected from the 2006 increase in the rate of the Home Rule Tobacco Tax to be deposited into the funds of the Cook County Bureau of Health.~~

(a) Seizure. Whenever the Department or any of its duly authorized representatives shall discover any cigarettes subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, they are hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale which, except for money contained in such vending machine or receptacle, shall thereupon be deemed to be forfeited to the County of Cook.

(b) Unstamped or improperly stamped cigarette penalty. Notwithstanding any penalties provided for in the Uniform Penalties, Interest and Procedures Ordinance, the Department shall require the wholesale tobacco and/or retail dealers to pay ~~\$500.00~~ \$1,000.00 or a \$25.00 per package penalty (see below), and including any fees for the seizure and storage of any seized cigarette packages, cigarette-vending machines or receptacles. Any person who is assessed said penalty shall be entitled to protest and request a hearing pursuant to the provisions in the Uniform Penalties, Interest and Procedures Ordinance [Section 34-60 et seq.].

Unstamped or improperly stamped cigarette penalty

| <u>Number of Cigarette Packages Confiscated</u> | | <u>Penalty Amount</u> |
|---|---|---------------------------------------|
| <u>1 to 20 40</u> | = | <u>\$500.00 \$1,000.00</u> |
| <u>21 41 or more</u> | = | <u>\$ 25.00 per package</u> |

(c) Cigarette redemption penalty. The Department may, within a reasonable time, thereafter, by a public notice given at least five days before the date of the sale, sell such forfeited cigarettes and vending machines or receptacles at public sale and pay the proceeds to the Treasurer of the County of Cook. In the alternative, the Department, shall either destroy or on reasonable notice, may permit the Wholesale Tobacco Dealer from whom the said cigarettes were seized, to redeem the cigarettes and/or any vending machine or receptacle seized therewith, by the payment of a Redemption Penalty equal to 50 percent of the tax due, and including the cost incurred in such proceeding. Such seizure, destruction, and sale, or redemption shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this article.

Sec. 74-446. Penalties Transmittal of excess tax collections.

~~Any person determined to have violated this article, as amended, shall be subject to a fine of \$500.00 for the first offense, and a fine of \$1,000.00 for the second and each subsequent offense in any 180 day period. Any person determined to have violated this article, as amended, on three or more occasions within any 180 day period shall be subject to prosecution for a Class B misdemeanor. Criminal prosecutions pursuant to this article, as amended, shall in no way preclude the County from instituting civil proceedings to recover delinquent taxes, interest and penalties due and owing, as well as costs incurred for such proceeding. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof.~~

In the event a person collects an amount in excess of the tax imposed by this article, as amended, which amount is purported to be a collection thereof, and said person fails to return the said excess amount to the purchaser who paid the tax, the said person who collected the tax shall account for and pay over all such excess amounts to the Department along with the tax properly collected.

Sec. 74-447. Deposit of tax proceeds.

All proceeds resulting from the imposition of the tax under this article, including penalties, shall be paid to the Department. The Department shall direct every dollar collected from the 2006 increase in the rate of the Home Rule Tobacco Tax to be deposited into the funds of the Cook County Bureau of Health.

Sec. 74-448. Penalties.

Any person determined to have violated this article, as amended, may be subject to a fine of one thousand dollars (\$1,000.00) for the first offense, and a fine of two thousand dollars (\$2000.00) for the second and each subsequent offense. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof. The tax required in this article to be collected by any wholesale or retail tobacco dealer pursuant to this article shall constitute a debt owed by such wholesale or retail tobacco dealer to the County.

Effective Date: This Ordinance, as amended, shall take effect and be in force upon passage.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

297773 **AMENDMENT TO THE COOK COUNTY WHEEL TAX ON MOTOR VEHICLES ORDINANCE** (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Todd H. Stroger, President, Cook County Board of Commissioners.

PROPOSED ORDINANCE AMENDMENT

**AN AMENDMENT TO THE COOK COUNTY
WHEEL TAX ON MOTOR VEHICLES ORDINANCE**

WHEREAS, the County of Cook is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule powers, the Cook County Board of Commissioners adopted an Ordinance to provide for a wheel tax on motor vehicles ("Cook County Wheel Tax on Motor Vehicles Ordinance") on January 1, 1972 and has adopted subsequent amendments; and

WHEREAS, it is the Cook County Department of Revenue's intention to promote efficiencies and minimize vehicle sticker processing costs, by proposing to the Cook County Board of Commissioners that the Cook County Wheel Tax On Motor Vehicles Ordinance be amended to eliminate, all four, current no fee vehicle class types (PH, DV, Z and M) and consolidating them into one "NF" no fee class type; and

WHEREAS, to promote additional efficiencies, the Cook County Department of Revenue requests the Cook County Board of Commissioners, to consider, a further amendment to the Cook County Wheel Tax On Motor Vehicles Ordinance which would eliminate the \$5.00 license fee charge that is currently required to be paid by persons 65 years of age and older and including them in the "NF" no fee class type.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Sections 74-550 through 74-569 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 74-550. Short title.

This article shall be known and may be cited as the "Cook County Wheel Tax on Motor Vehicles Ordinance".

Sec. 74-551. Definitions.

For the purposes of this article the following terms are defined as follows:

Bus means a motor vehicle designed for carrying more than ten passengers and used for the transportation of persons.

Larger passenger automobile means a passenger automobile with a curb weight of at least 4,500 pounds, as determined by the vehicle's manufacturer. Ambulances and hearses of more than 35 horsepower are incorporated in the definition of larger passenger automobile.

Moped means a vehicle capable of being powered by either the muscular power of man or as a motor vehicle at the discretion of the operator. For the purpose of licensing, a moped shall be licensed as a motor vehicle.

Motor truck means a motor vehicle designed, used or maintained primarily for the transportation of property.

Motor vehicle means any vehicle including motor bicycle or motor tricycle propelled otherwise than by the muscular power of man or animal, except such as run on rails or tracks.

Owner includes a lessee, licensee, or bailee of a motor vehicle having the exclusive use thereof, under a lease or other similar contractual agreement for a period of not less than 30 days.

Recreational vehicle means every motor vehicle originally designed or permanently converted and used for living quarters or for human habitation, a motor home and not used as a commercial motor vehicle.

Residing within the unincorporated area of Cook County means owning, leasing, or otherwise the controlling of property or a place of business wherein motor vehicles, trailers, or semitrailers are stored, repaired, serviced, loaded or unloaded within the unincorporated area of Cook County in connection with such business.

Semitrailer means a vehicle designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that its load rests upon or is carried by another vehicle.

Smaller passenger automobile means a passenger automobile with a curb weight of less than 4,500 pounds, as determined by the vehicle's manufacturer.

Tractor means any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Trailer means a vehicle designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Sec. 74-552. License requirement.

It shall be unlawful for any motor vehicle owner residing within the unincorporated area of Cook County to own, possess, use, or to cause or permit any of his agents, employees, lessees, or bailees to use any motor vehicle upon the unincorporated area of Cook County, unless such vehicle be licensed as hereinafter provided.

Sec. 74-553. Application.

Any person desiring a license for any such motor vehicle or other vehicle shall file an application with the Department of Revenue (Department) in the Bureau of Finance, upon a form provided therefor, which shall set forth the name and address of the applicant, a description of the vehicle for which the license is desired, the place where the same is to be kept when not in use, the number and kinds of other vehicles kept by the said applicant at such place, and in the case of an application for a license for a motor vehicle, for what purpose the same is to be used, and such other information as may be prescribed.

Sec. 74-554. Exemptions including limitations.

All license plates or emblems for vehicles exempt from payment of the vehicle tax shall be furnished by the Department at no charge. This emblem or license plate will have no expiration date and will remain valid for the duration of the ownership of the vehicle.

(a) All vehicles owned and operated upon the public ways of the unincorporated area of Cook County by the United States Government or any agency thereof, or by the State of Illinois or any department thereof, or by any political subdivision, public or municipal corporation of the State of Illinois or any department or other agency of such corporation, or by a nonprofit organization as defined by Section 501(c)(3) of the Internal Revenue Code, as amended, such as the American Red Cross, and all buses owned and operated by churches in conjunction with the authorized activities of said institutions under Section 3-616 of the Illinois Vehicle Code, shall be exempt from the vehicle tax. Every exempt vehicle in this subsection, except those vehicles owned by the County of Cook which are used by said government agencies in confidential or undercover investigatory services or by an officer of any said agencies as the officer's official car shall have the name of the owner painted in letters at least one and one-half inches in length in a conspicuous place on the outside of each side of the vehicle; provided that in lieu of such identification every vehicle which is exempt from payment of the state motor vehicle registration fee, shall have a license plate or emblem as provided in Sections 74-556 and 74-560 herein and every vehicle owned by the United States Government or any agency thereof, which is not identified as required in this article, shall have such license plate or emblem. ~~All license plates or emblems for vehicles exempt from payment of the vehicle tax (a "Z" emblem) shall be furnished by the Department at no charge.~~

(b) Vehicles owned by a person with disabilities and registered with the State of Illinois under 625 ILCS 5/3-616, shall be exempt from this tax.

(c) Vehicles owned by a disabled veteran, who has provided proof of a disability connected to service in the United States military, shall be exempt from this tax.

A maximum of two (2) vehicles owned by a person over the age of 65 shall upon satisfactory proof of the owner's age be exempt from this tax. This exemption is limited to vehicles in the XSV, XLV, or A class.

Sec. 74-555. Issuance.

Upon the payment by the applicant of the license fee hereinafter provided, the County shall issue, or cause to be issued, a license authorizing the use of such vehicle within the unincorporated area of Cook County.

Sec. 74-556. Fees.

Annual license fees shall be as set out in Section 32-1.

- (1) A self propelled vehicle operated as a tractor and one semitrailer shall be considered as one vehicle in computing the license fees, and no additional license fee shall be required for the semitrailer so used.
- (2) The owner of each vehicle who has elected to pay a mileage tax to the State of Illinois shall be required to be licensed as this article provides.
- (3) A semitrailer used with any device for attaching it to a motor vehicle, a trailer, or other semitrailer, shall be licensed as a trailer.
- (4) All equipment mounted on wheels for transportation and attached to any motor vehicle or leading semitrailer or trailer, using the public ways of the unincorporated area of Cook County, shall be licensed hereunder as trailers.
- (5) If any such vehicle has been purchased or lawfully acquired by the applicant on or after December 1 of any current year, the fee to be paid shall be a sum equal to one-half of the annual license fee, specified in Section 32-1, as a license fee for the balance of such year. Before any applicant shall be entitled to a prorated license as provided for in this section, the applicant shall furnish an affidavit in a form satisfactory to the Department stating that the vehicle for which the license is applied for was purchased or otherwise obtained by the applicant on or after December 1 of the current year, and shall exhibit to the Department the bill of sale covering the vehicle for which the license is sought.

Sec. 74-557. ~~Persons over age 65~~ Effective dates.

~~License fees for motor vehicles in Classes XSV and XLV, excluding ambulances and hearses, owned by persons 65 years of age and older shall, upon satisfactory proof of age, be charged a one time fee of \$5.00 for the duration of the ownership of such vehicle. Such discount is limited to two cars owned by the same owner.~~

This article shall be effective on January 1, 2006, and thereafter.

Sec. 74-558. ~~Effective dates~~ Annual license.

~~This article shall be effective on January 1, 2006, and thereafter.~~

(a) ~~[License to be displayed.]~~ Annual licenses must be displayed by July 1. Said licenses shall be valid until June 30 in the following year.

(b) ~~New residents.~~ Within 60 days of taking up residence within the unincorporated area of Cook County, a current Cook County Vehicle License must be displayed on the owner's vehicle.

(c) ~~Newly acquired vehicles.~~ For any new or used vehicle purchased or acquired after July 1, a valid Cook County Vehicle License must be displayed within 30 days of the date of acquisition.

Sec. 74-559. ~~Annual license~~ Motor bicycle plate.

~~(a) ~~[License to be displayed.]~~ Annual licenses must be displayed by July 1. Said licenses shall be valid until June 30 in the following year.~~

~~(b) ~~New residents~~ Within 60 days of taking up residence within the unincorporated area of Cook County, a current Cook County Vehicle License must be displayed on the owner's vehicle.~~

~~(c) ~~Newly acquired vehicles.~~ For any new or used vehicle purchased or acquired after July 1, a valid Cook County Vehicle License must be displayed within 30 days of the date of acquisition.~~

(a) The Department shall deliver to the holder of a license for a motor bicycle, motor tricycle, or trailer, a metal plate or other license emblem which shall bear the word "Cook County" and a number identical with the number of the license, the name of the class to which such vehicle belongs, and the year for which such license is issued.

(b) When such metal plate or other license emblem is delivered to the holder of a license for a motor bicycle, motor tricycle, or trailer, it shall be the duty of such licensee to affix such plate or other license emblem in a conspicuous position so that the plate or other license emblem can be easily seen upon the rear end of such motor bicycle, motor tricycle, or trailer.

Sec. 74-560. ~~Motor bicycle plate~~ Window sticker.

~~(a) The Department shall deliver to the holder of a license for a motor bicycle, motor tricycle, or trailer, a metal plate or other license emblem which shall bear the word "Cook County" and a number identical with the number of the license, the name of the class to which such vehicle belongs, and the year for which such license is issued.~~

~~(b) When such metal plate or other license emblem is delivered to the holder of a license for a motor bicycle, motor tricycle, or trailer, it shall be the duty of such licensee to affix such plate or other license emblem in a conspicuous position so that the plate or other license emblem can be easily seen upon the rear end of such motor bicycle, motor tricycle, or trailer.~~

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(a) Except for those who receive a sticker under Section 74-557 of this article, the Department shall deliver to the holder of any license for any automobile, motor truck, motor ambulance or hearse, motor coach or motor bus, a sticker license emblem, which shall bear the words "Vehicle Sticker" and "County of Cook" and the numerals designating the year for which such license is issued, the name of the County Board President, and a number identical with the number of such license.

(b) Such sticker emblem shall be affixed, in accordance with the instructions printed thereon which are made a part hereof, and without the use of supplemental adhesives, at the lower right-hand corner of the inside of the glass portion of the windshield of such motor vehicle, approximately one inch from the right-hand lower sections of the frame of such windshield.

(c) The Department shall change annually the predominant background colors of such sticker emblems.

(d) The Department shall deliver to the holder of any license issued under Section 74-557 of this article a sticker license emblem which shall bear the words "Vehicle Sticker" and "County of Cook", the name of the County Board President, and a number identical with the number of such license.

Sec. 74-561. ~~Window sticker~~ Removal upon sale.

~~(a) Except for those who receive a sticker under Section 74-557 of this article, the Department shall deliver to the holder of any license for any automobile, motor truck, motor ambulance or hearse, motor coach or motor bus, a sticker license emblem, which shall bear the words "Vehicle Sticker" and "County of Cook" and the numerals designating the year for which such license is issued, the name of the County Board President, and a number identical with the number of such license.~~

~~(b) Such sticker emblem shall be affixed, in accordance with the instructions printed thereon which are made a part hereof, and without the use of supplemental adhesives, at the lower right hand corner of the inside of the glass portion of the windshield of such motor vehicle, approximately one inch from the right hand lower sections of the frame of such windshield.~~

~~(c) The Department shall change annually the predominant background colors of such sticker emblems.~~

~~(d) The Department shall deliver to the holder of any license issued under Section 74-557 of this article a sticker license emblem which shall bear the words "Vehicle Sticker" and "County of Cook", the name of the County Board President, and a number identical with the number of such license.~~

(a) Immediately upon the sale of any vehicle licensed under this article, when such sale is made prior to the date of expiration of such license, the vendor shall remove the license tag, plate, transparent sticker, or other license emblem from the vehicle so sold.

(b) Except where a vehicle has been regularly transferred as hereinafter provided in Section 74-564 herein, it shall be the duty of the purchaser of any used automobile or other vehicle to remove and deliver to the vendor or the vendor's agent immediately any license tag, plate, transparent sticker or other license emblem which may be attached to such vehicle at the time of the purchase thereof, when the vendor of such vehicle may have refused, failed or omitted to detach from such vehicle as hereinafter required. It shall be unlawful for any such purchaser to use, sell or offer sale such used automobile or other vehicle without first having removed all license tags, plates, transparent stickers or other license emblems.

Sec. 74-562. ~~Removal upon sale~~ Unlawful use on another vehicle.

~~(a) Immediately upon the sale of any vehicle licensed under this article, when such sale is made prior to the date of expiration of such license, the vendor shall remove the license tag, plate, transparent sticker, or other license emblem from the vehicle so sold.~~

~~(b) Except where a vehicle has been regularly transferred as hereinafter provided in Section 74-564 herein, it shall be the duty of the purchaser of any used automobile or other vehicle to remove and deliver to the vendor or the vendor's agent immediately any license tag, plate, transparent sticker or other license emblem which may be attached to such vehicle at the time of the purchase thereof, when the vendor of such vehicle may have refused, failed or omitted to detach from such vehicle as hereinafter required. It shall be unlawful for any such purchaser to use, sell or offer sale such used automobile or other vehicle without first having removed all license tags, plates, transparent stickers or other license emblems.~~

It shall be unlawful for any person to affix or cause to be affixed any license tag, plate, transparent sticker or other license emblem to any automobile or other vehicle other than the vehicle to which such license tag, plate, transparent sticker or other license emblem was intended to be affixed at the time of the issuance thereof by the Department.

Sec. 74-563. ~~Unlawful use on another vehicle~~ Transfer.

~~It shall be unlawful for any person to affix or cause to be affixed any license tag, plate, transparent sticker or other license emblem to any automobile or other vehicle other than the vehicle to which such license tag, plate, transparent sticker or other license emblem was intended to be affixed at the time of the issuance thereof by the Department.~~

(a) Whenever the owner of any vehicle licensed under this article, before the expiration of such license, sells or otherwise disposes of such vehicle, and thereafter acquires another vehicle and desires to transfer the vehicle license originally issued for the vehicle disposed of to such newly-acquired vehicle, such owner shall immediately make application to the Department for a transfer of said vehicle license to the newly-purchased vehicle. Said application shall state the name and address of the licensee and the name and address of the purchaser of said vehicle, together with a description of the newly-purchased vehicle. Upon surrender of the original license and transparent sticker or vehicle tag in case a metal tag has been issued, or upon proof that the transparent sticker or plate has been destroyed, the Department shall transfer said license to apply to the new-acquired vehicle upon payment of the proper license fee of \$10.00, provided, that the Department shall not transfer any license where the transparent sticker emblem issued under said license is defaced or mutilated so as to prevent identification of the emblem. It shall be unlawful for any person to displace a transparent sticker emblem on any vehicle other than the vehicle for which the emblem was originally issued, without first transferring the license to such other vehicle, as provided herein.

(b) The owner of any vehicle licensed under this article shall promptly notify the Department whenever the transparent sticker emblem issued under such license is lost, stolen or destroyed. A duplicate transparent sticker may be purchased from the Department for \$20.00.

Sec. 74-564. Transfer Dealer license.

~~(a) Whenever the owner of any vehicle licensed under this article, before the expiration of such license, sells or otherwise disposes of such vehicle, and thereafter acquires another vehicle and desires to transfer the vehicle license originally issued for the vehicle disposed of to such newly acquired vehicle, such owner shall immediately make application to the Department for a transfer of said vehicle license to the newly purchased vehicle. Said application shall state the name and address of the licensee and the name and address of the purchaser of said vehicle, together with a description of the newly purchased vehicle. Upon surrender of the original license and transparent sticker or vehicle tag in case a metal tag has been issued, or upon proof that the transparent sticker or plate has been destroyed, the Department shall transfer said license to apply to the new acquired vehicle upon payment of the proper license fee of \$10.00, provided, that the Department shall not transfer any license where the transparent sticker emblem issued under said license is defaced or mutilated so as to prevent identification of the emblem. It shall be unlawful for any person to displace a transparent sticker emblem on any vehicle other than the vehicle for which the emblem was originally issued, without first transferring the license to such other vehicle, as provided herein.~~

~~(b) The owner of any vehicle licensed under this article shall promptly notify the Department whenever the transparent sticker emblem issued under such license is lost, stolen or destroyed. A duplicate transparent sticker may be purchased from the Department for \$20.00.~~

(a) If any manufacturer or dealer of any of the motor vehicles mentioned in this article shall make application to the Department and shall state that the manufacturer or dealer is a manufacturer operating a plant for the construction of motor vehicles within the unincorporated area of Cook County, or a dealer in such motor vehicles with a salesroom located within the unincorporated area of Cook County, and desires a license emblem to be used by the dealer or manufacturer, the Department shall upon payment by such applicant of the fee hereinafter set for to such manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon. Said emblem must be attached to or borne by any such motor vehicles while being operated on the streets of the unincorporated area of Cook County. When any such vehicle is in use and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under the provision of this article.

(b) The annual license fee to be paid for each such license plate or transparent sticker license emblem shall be \$20.00, and said fee shall not be prorated.

(c) Every manufacturer or dealer applying for said plates or transparent sticker license emblem must submit to the Department satisfactory proof of the person's status as such manufacturer or dealer and satisfactory proof of the number of sets of dealer's plates issued to the application by the State of Illinois; provided that no license plates or transparent sticker license emblems shall be issued under this article unless the applicant is in possession of an Illinois dealer's license for the current year. The total number of license plates and transparent sticker license emblems that may be obtained under this article shall not exceed the number of sets of dealer's license plates issued to the applicant by the State.

(d) No such license, plate or emblem shall be used on any motor vehicle rented by such manufacturer or dealer, or on any vehicle used to transport persons or property for hire, or on any vehicle unless such vehicle is operated under a dealer's license issued by the State of Illinois and to which both State license plates are attached.

Sec. 74-565. Dealer-license Business vehicle identification.

~~(a) If any manufacturer or dealer of any of the motor vehicles mentioned in this article shall make application to the Department and shall state that the manufacturer or dealer is a manufacturer operating a plant for the construction of motor vehicles within the unincorporated area of Cook County, or a dealer in such motor vehicles with a salesroom located within the unincorporated area of Cook County, and desires a license emblem to be used by the dealer or manufacturer, the Department shall upon payment by such applicant of the fee hereinafter set for to such manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon. Said emblem must be attached to or borne by any such motor vehicles while being operated on the streets of the unincorporated area of Cook County. When any such vehicle is in use and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under the provision of this article.~~

~~(b) The annual license fee to be paid for each such license plate or transparent sticker license emblem shall be \$20.00, and said fee shall not be prorated.~~

~~(c) Every manufacturer or dealer applying for said plates or transparent sticker license emblems must submit to the Department satisfactory proof of the person's status as such manufacturer or dealer and satisfactory proof of the number of sets of dealer's plates issued to the application by the State of Illinois; provided that no license plates or transparent sticker license emblems shall be issued under this article unless the applicant is in possession of an Illinois dealer's license for the current year. The total number of license plates and transparent sticker license emblems that may be obtained under this article shall not exceed the number of sets of dealer's license plates issued to the applicant by the State.~~

~~(d) No such license, plate or emblem shall be used on any motor vehicle rented by such manufacturer or dealer, or on any vehicle used to transport persons or property for hire, or on any vehicle unless such vehicle is operated under a dealer's license issued by the State of Illinois and to which both State license plates are attached.~~

It shall be unlawful for any person to use or to cause or permit any of a person's employees to use any motor vehicle, or other vehicle, in the transportation of property upon the public ways of the unincorporated area of Cook County unless such vehicle shall have the name and address of the owner thereof, and a serial number distinguishing said vehicle from any other vehicle controlled or used by the same person plainly painted, in the letters at least one and one-half inches in length, in a conspicuous place on the outside of such vehicle, provided that any such person using and operating in the unincorporated area of Cook County more than five such vehicles may cause such name and serial number to be painted on each vehicle as foresaid in letter not less than three inches in length and omit therefrom the address of such person; provided, further, that in event if such vehicle is used or operated continuously by a lessee or bailee or other person having complete control over such vehicle, instead of the owner thereof, the name and address and serial number or name and serial number, as the case may be, of such lessee, bailee or other person using and operating said vehicle may be used as if the person were the owner thereof. Such name, address and serial number, or name and serial number, as the case may be, shall be kept so painted, plainly and distinctly, at all times while such vehicle is in use on the public ways of the unincorporated area of Cook County. This section shall not be construed as applying to any motor vehicle, or other vehicle which is used exclusively for noncommercial purposes.

Sec. 74-566. ~~Business vehicle identification~~ Right to inspect.

~~It shall be unlawful for any person to use or to cause or permit any of a person's employees to use any motor vehicle, or other vehicle, in the transportation of property upon the public ways of the unincorporated area of Cook County unless such vehicle shall have the name and address of the owner thereof, and a serial number distinguishing said vehicle from any other vehicle controlled or used by the same person plainly painted, in the letters at least one and one-half inches in length, in a conspicuous place on the outside of such vehicle, provided that any such person using and operating in the unincorporated area of Cook County more than five such vehicles may cause such name and serial number to be painted on each vehicle as foresaid in letter not less than three inches in length and omit therefrom the address of such person; provided, further, that in event if such vehicle is used or operated continuously by a lessee or bailee or other person having complete control over such vehicle, instead of the owner thereof, the name and address and serial number or name and serial number, as the case may be, of such lessee, bailee or other person using and operating said vehicle may be used as if the person were the owner thereof. Such name, address and serial number, or name and serial number, as the case may be, shall be kept so painted, plainly and distinctly, at all times while such vehicle is in use on the public ways of the unincorporated area of Cook County. This section shall not be construed as applying to any motor vehicle, or other vehicle which is used exclusively for noncommercial purposes.~~

The Cook County Sheriff's Police are hereby authorized to issue citations to any vehicle registered to an address in unincorporated Cook County on the public way in unincorporated Cook County that is not displaying a Cook County vehicle sticker and furthermore, officers of the Cook County Sheriff's Police shall have the authority to enter the following places for purposes of ascertaining whether vehicles parked therein are in compliance with this article and issue citations accordingly:

(1) Any parking lot that is open to pedestrian traffic. Nothing in this section authorizes any officer to force, break, or remove any lock or door in order to gain entry to any of the foregoing places.

Sec. 74-567. ~~Right to inspect~~ Penalty for ordinance violation.

~~The Cook County Sheriff's Police are hereby authorized to issue citations to any vehicle registered to an address in unincorporated Cook County on the public way in unincorporated Cook County that is not displaying a Cook County vehicle sticker and furthermore, officers of the Cook County Sheriff's Police shall have the authority to enter the following places for purposes of ascertaining whether vehicles parked therein are in compliance with this article and issue citations accordingly:~~

- ~~(1) Any parking lot that is open to pedestrian traffic. Nothing in this section authorizes any officer to force, break, or remove any lock or door in order to gain entry to any of the foregoing places.~~

(a) Late fee. Any owner as defined in Section 74-551 or 74-552 who purchases a license after July 1 or other due date as defined in Section 74-559(b) or (c) shall pay a late fee penalty equal to the amount due for the license fee but not less than \$25.00 per license, whichever is more. Persons over age 65, physically handicapped individuals, or disabled veterans shall not be charged more than \$25.00 for a late fee.

(b) Back dated fees. Any person or motor vehicle as defined in Section 74-551 or 74-552 who did not purchase a license after the effective date may be required to pay the entire amount of fees due for each of the prior three years that the fee had not been paid.

(c) Penalty for failure to properly display sticker or unlawful use of sticker on another vehicle. Any owner, driver or motor vehicle in violation of these provisions requiring a license shall be fined not less than \$75.00 per offense nor more than \$150.00 per offense.

(d) Purchase of a license after the due date. Purchase of a license after the due date shall not result in an order of compliance discharge or a finding of not guilty by any court or administrative hearing and penalties and fines, contained herein shall be mandatory.

Sec. 74-568. ~~Penalty for ordinance violation~~ Penalty for unlawful removal.

~~(a) Late fee.~~ Any owner as defined in Section 74-551 or 74-552 who purchases a license after July 1 or other due date as defined in Section 74-559(b) or (c) shall pay a late fee penalty equal to the amount due for the license fee but not less than \$25.00 per license, whichever is more. Persons over age 65, physically handicapped individuals, or disabled veterans shall not be charged more than \$25.00 for a late fee.

~~(b) Back dated fees.~~ Any person or motor vehicle as defined in Section 74-551 or 74-552 who did not purchase a license after the effective date may be required to pay the entire amount of fees due for each of the prior three years that the fee had not been paid.

~~(c) Penalty for failure to properly display sticker or unlawful use of sticker on another vehicle.~~ Any owner, driver or motor vehicle in violation of these provisions requiring a license shall be fined not less than \$75.00 per offense nor more than \$150.00 per offense.

~~(d) Purchase of a license after the due date.~~ Purchase of a license after the due date shall not result in an order of compliance discharge or a finding of not guilty by any court or administrative hearing and penalties and fines, contained herein shall be mandatory.

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(a) Except as otherwise provided in 50 ILCS 45/80, any person who shall take, destroy, remove, or obliterate any license tag, plate or emblem provided for in this article, without the consent of the owner of the vehicle, shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Every such wrongful destruction, obliteration or removal of such license tag, plate or emblem from any vehicle shall be considered a separate offense.

(b) Except as otherwise provided in 50 ILCS 45/80, any person violating any provision of this article where the penalty is not otherwise herein provided for shall be fined not less than \$50.00 dollars nor more than \$200.00 for each offense. A separate and distinct offense shall be considered as committed for each and every day any wagon or vehicle is used upon the public ways of the unincorporated area of Cook County without having procured a license and without having complied with the provisions of this article.

(c) The license and fees herein imposed is in addition to all other taxes imposed by the Government of the United States, the State of Illinois or by any unit of local government.

Sec. 74-569. — Penalty for unlawful removal.

~~(a) Except as otherwise provided in 50 ILCS 45/80, any person who shall take, destroy, remove, or obliterate any license tag, plate or emblem provided for in this article, without the consent of the owner of the vehicle, shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Every such wrongful destruction, obliteration or removal of such license tag, plate or emblem from any vehicle shall be considered a separate offense.~~

~~(b) Except as otherwise provided in 50 ILCS 45/80, any person violating any provision of this article where the penalty is not otherwise herein provided for shall be fined not less than \$50.00 dollars nor more than \$200.00 for each offense. A separate and distinct offense shall be considered as committed for each and every day any wagon or vehicle is used upon the public ways of the unincorporated area of Cook County without having procured a license and without having complied with the provisions of this article.~~

~~(c) The license and fees herein imposed is in addition to all other taxes imposed by the Government of the United States, the State of Illinois or by any unit of local government.~~

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 32-1. Fee schedule.

| Class | | Annual License Fee (in dollars) |
|-----------------------|--|------------------------------------|
| MOTOR VEHICLES | | |
| MB | Motor bicycles or motor tricycles | 25.00 |
| XSV | Smaller passenger vehicles with a curb weight under 4,500 pounds | 40.00 |

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| Class | Annual License Fee (in dollars) |
|---|--|
| MOTOR VEHICLES | |
| XLV | Larger passenger vehicles with a curb weight of at least 4,500 pounds and hearses, ambulances, and privately owned, noncommercial motorized vacation camper or other motorized recreation vehicle 50.00 |
| NF | <u>Vehicles owned by the United States Government, State of Illinois or units of local government or vehicles owned by non profit organizations or buses owned and operated by churches or vehicles owned by persons with a disability, disabled veterans and persons over the age of 65. (See Sec. 74-554 Exemptions including limitations).</u> No Fee |
| PH | Physically handicapped individuals (requires proof of registration with State of Illinois under 625 ILCS 5/3-616) No Fee |
| DV | Disabled veterans (requires proof of service connected disability) No Fee |
| Z | School, church and nonprofit buses (as defined in Section 74-554) No Fee |
| M | Municipally owned vehicles No Fee |
| SB | Privately owned school buses 15.00 |
| RECREATIONAL TRAILERS | |
| RT | All noncommercial recreational trailers, including boat trailers, snowmobile trailers, horse trailers, camping trailers and other noncommercial, nonmotorized recreational trailers 30.00 |
| COMMERCIAL TRAILERS | |
| CT | All commercial trailers regardless of gross weight in pounds of vehicle plus its maximum load 75.00 |
| MOTOR TRUCKS, TRACTOR-SEMITRAILER UNITS AND MOTOR BUSES (Gross weight in pounds of vehicle plus its maximum load) | |
| A | Up to 10,000 lbs. 50.00 |
| B | 10,001 to 20,000 lbs. 75.00 |
| C | 20,001 to 36,000 lbs. (2 or more axles) 90.00 |

| Class | | Annual License Fee (in dollars) |
|---|---|------------------------------------|
| MOTOR TRUCKS, TRACTOR-SEMITRAILER UNITS AND MOTOR BUSES (Gross weight in pounds of vehicle plus its maximum load) | | |
| D | 36,001 to 50,000 lbs. (3 or more axles) | 100.00 |
| E | 50,001 to 75,000 lbs. (4 or more axles) | 115.00 |
| 74-557 | License fees for motor vehicles in Classes XSV and XLV, excluding ambulances and hearses, owned by persons 65 years of age and older shall, upon satisfactory proof of age, be charged a one-time fee for the duration of the ownership of such vehicle. Such discount is limited to two cars owned by the same owner. | 5.00 |
| 74-565(b) | Annual license fee for dealer license plate or transparent sticker license emblem, each plate or emblem | 20.00 |

Effective Date: This Ordinance amendment shall be effective upon adoption.

*** Referred to the Committee on Finance on 12/17/08.**

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER STEELE, MOVED THAT THE ORDINANCE AMENDMENT (COMMUNICATION NO. 297773) BE APPROVED AND ADOPTED. THE MOTION CARRIED.

**09-O-16
ORDINANCE**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

**AMENDMENT TO THE COOK COUNTY WHEEL TAX
ON MOTOR VEHICLES ORDINANCE**

WHEREAS, the County of Cook is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule powers, the Cook County Board of Commissioners adopted an Ordinance to provide for a wheel tax on motor vehicles ("Cook County Wheel Tax on Motor Vehicles Ordinance") on January 1, 1972 and has adopted subsequent amendments; and

WHEREAS, it is the Cook County Department of Revenue's intention to promote efficiencies and minimize vehicle sticker processing costs, by proposing to the Cook County Board of Commissioners that the Cook County Wheel Tax On Motor Vehicles Ordinance be amended to eliminate, all four, current no fee vehicle class types (PH, DV, Z and M) and consolidating them into one "NF" no fee class type; and

WHEREAS, to promote additional efficiencies, the Cook County Department of Revenue requests the Cook County Board of Commissioners, to consider, a further amendment to the Cook County Wheel Tax On Motor Vehicles Ordinance which would eliminate the \$5.00 license fee charge that is currently required to be paid by persons 65 years of age and older and including them in the "NF" no fee class type.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Sections 74-550 through 74-569 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 74-550. Short title.

This article shall be known and may be cited as the "Cook County Wheel Tax on Motor Vehicles Ordinance".

Sec. 74-551. Definitions.

For the purposes of this article the following terms are defined as follows:

Bus means a motor vehicle designed for carrying more than ten passengers and used for the transportation of persons.

Larger passenger automobile means a passenger automobile with a curb weight of at least 4,500 pounds, as determined by the vehicle's manufacturer. Ambulances and hearses of more than 35 horsepower are incorporated in the definition of larger passenger automobile.

Moped means a vehicle capable of being powered by either the muscular power of man or as a motor vehicle at the discretion of the operator. For the purpose of licensing, a moped shall be licensed as a motor vehicle.

Motor truck means a motor vehicle designed, used or maintained primarily for the transportation of property.

Motor vehicle means any vehicle including motor bicycle or motor tricycle propelled otherwise than by the muscular power of man or animal, except such as run on rails or tracks.

Owner includes a lessee, licensee, or bailee of a motor vehicle having the exclusive use thereof, under a lease or other similar contractual agreement for a period of not less than 30 days.

Recreational vehicle means every motor vehicle originally designed or permanently converted and used for living quarters or for human habitation, a motor home and not used as a commercial motor vehicle.

Residing within the unincorporated area of Cook County means owning, leasing, or otherwise the controlling of property or a place of business wherein motor vehicles, trailers, or semitrailers are stored, repaired, serviced, loaded or unloaded within the unincorporated area of Cook County in connection with such business.

Semitrailer means a vehicle designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that its load rests upon or is carried by another vehicle.

Smaller passenger automobile means a passenger automobile with a curb weight of less than 4,500 pounds, as determined by the vehicle's manufacturer.

Tractor means any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Trailer means a vehicle designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Sec. 74-552. License requirement.

It shall be unlawful for any motor vehicle owner residing within the unincorporated area of Cook County to own, possess, use, or to cause or permit any of his agents, employees, lessees, or bailees to use any motor vehicle upon the unincorporated area of Cook County, unless such vehicle be licensed as hereinafter provided.

Sec. 74-553. Application.

Any person desiring a license for any such motor vehicle or other vehicle shall file an application with the Department of Revenue (Department) in the Bureau of Finance, upon a form provided therefor, which shall set forth the name and address of the applicant, a description of the vehicle for which the license is desired, the place where the same is to be kept when not in use, the number and kinds of other vehicles kept by the said applicant at such place, and in the case of an application for a license for a motor vehicle, for what purpose the same is to be used, and such other information as may be prescribed.

Sec. 74-554. Exemptions including limitations.

All license plates or emblems for vehicles exempt from payment of the vehicle tax shall be furnished by the Department at no charge. This emblem or license plate will have no expiration date and will remain valid for the duration of the ownership of the vehicle.

(a) All vehicles owned and operated upon the public ways of the unincorporated area of Cook County by the United States Government or any agency thereof, or by the State of Illinois or any department thereof, or by any political subdivision, public or municipal corporation of the State of Illinois or any department or other agency of such corporation, or by a nonprofit organization as defined by Section 501(c)(3) of the Internal Revenue Code, as amended, such as the American Red Cross, and all buses owned and operated by churches in conjunction with the authorized activities of said institutions under Section 3-616 of the Illinois Vehicle Code, shall be exempt from the vehicle tax. Every exempt vehicle in this sub-section, except those vehicles owned by the County of Cook which are used by said government agencies in confidential or undercover investigatory services or by an officer of any said agencies as the officer's official car shall have the name of the owner painted in letters at least one and one-half inches in length in a conspicuous place on the outside of each side of the vehicle; provided that in lieu of such identification every vehicle which is exempt from payment of the state motor vehicle registration fee, shall have a license plate or emblem as provided in Sections 74-556 and 74-560 herein and every vehicle owned by the United States Government or any agency thereof, which is not identified as required in this article, shall have such license plate or emblem. ~~All license plates or emblems for vehicles exempt from payment of the vehicle tax (a "Z" emblem) shall be furnished by the Department at no charge.~~

(b) Vehicles owned by a person with disabilities and registered with the State of Illinois under 625 ILCS 5/3-616, shall be exempt from this tax.

(c) Vehicles owned by a disabled veteran, who has provided proof of a disability connected to service in the United States military, shall be exempt from this tax.

A maximum of two (2) vehicles owned by a person over the age of 65 shall upon satisfactory proof of the owner's age be exempt from this tax. This exemption is limited to vehicles in the XSV, XLV, or A class.

Sec. 74-555. Issuance.

Upon the payment by the applicant of the license fee hereinafter provided, the County shall issue, or cause to be issued, a license authorizing the use of such vehicle within the unincorporated area of Cook County.

Sec. 74-556. Fees.

Annual license fees shall be as set out in Section 32-1.

- (1) A self propelled vehicle operated as a tractor and one semitrailer shall be considered as one vehicle in computing the license fees, and no additional license fee shall be required for the semitrailer so used.
- (2) The owner of each vehicle who has elected to pay a mileage tax to the State of Illinois shall be required to be licensed as this article provides.
- (3) A semitrailer used with any device for attaching it to a motor vehicle, a trailer, or other semitrailer, shall be licensed as a trailer.
- (4) All equipment mounted on wheels for transportation and attached to any motor vehicle or leading semitrailer or trailer, using the public ways of the unincorporated area of Cook County, shall be licensed hereunder as trailers.
- (5) If any such vehicle has been purchased or lawfully acquired by the applicant on or after December 1 of any current year, the fee to be paid shall be a sum equal to one-half of the annual license fee, specified in Section 32-1, as a license fee for the balance of such year. Before any applicant shall be entitled to a prorated license as provided for in this section, the applicant shall furnish an affidavit in a form satisfactory to the Department stating that the vehicle for which the license is applied for was purchased or otherwise obtained by the applicant on or after December 1 of the current year, and shall exhibit to the Department the bill of sale covering the vehicle for which the license is sought.

Sec. 74-557. ~~Persons over age 65~~ Effective dates.

~~License fees for motor vehicles in Classes XSV and XLV, excluding ambulances and hearses, owned by persons 65 years of age and older shall, upon satisfactory proof of age, be charged a one-time fee of \$5.00 for the duration of the ownership of such vehicle. Such discount is limited to two cars owned by the same owner.~~

This article shall be effective on January 1, 2006, and thereafter.

Sec. 74-558. ~~Effective dates~~ Annual license.

~~This article shall be effective on January 1, 2006, and thereafter.~~

(a) ~~[License to be displayed.]~~ Annual licenses must be displayed by July 1. Said licenses shall be valid until June 30 in the following year.

(b) ~~New residents~~ Within 60 days of taking up residence within the unincorporated area of Cook County, a current Cook County Vehicle License must be displayed on the owner's vehicle.

(c) ~~Newly acquired vehicles~~ . For any new or used vehicle purchased or acquired after July 1, a valid Cook County Vehicle License must be displayed within 30 days of the date of acquisition.

Sec. 74-559. Annual license ~~Motor bicycle plate.~~

~~(a) ~~[License to be displayed.]~~ Annual licenses must be displayed by July 1. Said licenses shall be valid until June 30 in the following year.~~

~~(b) ~~New residents~~ Within 60 days of taking up residence within the unincorporated area of Cook County, a current Cook County Vehicle License must be displayed on the owner's vehicle.~~

~~(c) ~~Newly acquired vehicles~~ . For any new or used vehicle purchased or acquired after July 1, a valid Cook County Vehicle License must be displayed within 30 days of the date of acquisition.~~

(a) The Department shall deliver to the holder of a license for a motor bicycle, motor tricycle, or trailer, a metal plate or other license emblem which shall bear the word "Cook County" and a number identical with the number of the license, the name of the class to which such vehicle belongs, and the year for which such license is issued.

(b) When such metal plate or other license emblem is delivered to the holder of a license for a motor bicycle, motor tricycle, or trailer, it shall be the duty of such licensee to affix such plate or other license emblem in a conspicuous position so that the plate or other license emblem can be easily seen upon the rear end of such motor bicycle, motor tricycle, or trailer.

Sec. 74-560. Motor bicycle plate ~~Window sticker.~~

~~(a) The Department shall deliver to the holder of a license for a motor bicycle, motor tricycle, or trailer, a metal plate or other license emblem which shall bear the word "Cook County" and a number identical with the number of the license, the name of the class to which such vehicle belongs, and the year for which such license is issued.~~

~~(b) When such metal plate or other license emblem is delivered to the holder of a license for a motor bicycle, motor tricycle, or trailer, it shall be the duty of such licensee to affix such plate or other license emblem in a conspicuous position so that the plate or other license emblem can be easily seen upon the rear end of such motor bicycle, motor tricycle, or trailer.~~

(a) Except for those who receive a sticker under Section 74-557 of this article, the Department shall deliver to the holder of any license for any automobile, motor truck, motor ambulance or hearse, motor coach or motor bus, a sticker license emblem, which shall bear the words "Vehicle Sticker" and "County of Cook" and the numerals designating the year for which such license is issued, the name of the County Board President, and a number identical with the number of such license.

(b) Such sticker emblem shall be affixed, in accordance with the instructions printed thereon which are made a part hereof, and without the use of supplemental adhesives, at the lower right-hand corner of the inside of the glass portion of the windshield of such motor vehicle, approximately one inch from the right-hand lower sections of the frame of such windshield.

(c) The Department shall change annually the predominant background colors of such sticker emblems.

(d) The Department shall deliver to the holder of any license issued under Section 74-557 of this article a sticker license emblem which shall bear the words "Vehicle Sticker" and "County of Cook", the name of the County Board President, and a number identical with the number of such license.

Sec. 74-561. ~~Window sticker~~ Removal upon sale.

~~(a) Except for those who receive a sticker under Section 74-557 of this article, the Department shall deliver to the holder of any license for any automobile, motor truck, motor ambulance or hearse, motor coach or motor bus, a sticker license emblem, which shall bear the words "Vehicle Sticker" and "County of Cook" and the numerals designating the year for which such license is issued, the name of the County Board President, and a number identical with the number of such license.~~

~~(b) Such sticker emblem shall be affixed, in accordance with the instructions printed thereon which are made a part hereof, and without the use of supplemental adhesives, at the lower right hand corner of the inside of the glass portion of the windshield of such motor vehicle, approximately one inch from the right hand lower sections of the frame of such windshield.~~

~~(c) The Department shall change annually the predominant background colors of such sticker emblems.~~

~~(d) The Department shall deliver to the holder of any license issued under Section 74-557 of this article a sticker license emblem which shall bear the words "Vehicle Sticker" and "County of Cook", the name of the County Board President, and a number identical with the number of such license.~~

(a) Immediately upon the sale of any vehicle licensed under this article, when such sale is made prior to the date of expiration of such license, the vendor shall remove the license tag, plate, transparent sticker, or other license emblem from the vehicle so sold.

(b) Except where a vehicle has been regularly transferred as hereinafter provided in Section 74-564 herein, it shall be the duty of the purchaser of any used automobile or other vehicle to remove and deliver to the vendor or the vendor's agent immediately any license tag, plate, transparent sticker or other license emblem which may be attached to such vehicle at the time of the purchase thereof, when the vendor of such vehicle may have refused, failed or omitted to detach from such vehicle as hereinafter required. It shall be unlawful for any such purchaser to use, sell or offer sale such used automobile or other vehicle without first having removed all license tags, plates, transparent stickers or other license emblems.

Sec. 74-562. ~~Removal upon sale~~ Unlawful use on another vehicle.

~~(a) Immediately upon the sale of any vehicle licensed under this article, when such sale is made prior to the date of expiration of such license, the vendor shall remove the license tag, plate, transparent sticker, or other license emblem from the vehicle so sold.~~

~~(b) — Except where a vehicle has been regularly transferred as hereinafter provided in Section 74-564 herein, it shall be the duty of the purchaser of any used automobile or other vehicle to remove and deliver to the vendor or the vendor's agent immediately any license tag, plate, transparent sticker or other license emblem which may be attached to such vehicle at the time of the purchase thereof, when the vendor of such vehicle may have refused, failed or omitted to detach from such vehicle as hereinafter required. It shall be unlawful for any such purchaser to use, sell or offer sale such used automobile or other vehicle without first having removed all license tags, plates, transparent stickers or other license emblems.~~

It shall be unlawful for any person to affix or cause to be affixed any license tag, plate, transparent sticker or other license emblem to any automobile or other vehicle other than the vehicle to which such license tag, plate, transparent sticker or other license emblem was intended to be affixed at the time of the issuance thereof by the Department.

Sec. 74-563. ~~Unlawful use on another vehicle~~ Transfer.

~~It shall be unlawful for any person to affix or cause to be affixed any license tag, plate, transparent sticker or other license emblem to any automobile or other vehicle other than the vehicle to which such license tag, plate, transparent sticker or other license emblem was intended to be affixed at the time of the issuance thereof by the Department.~~

(a) Whenever the owner of any vehicle licensed under this article, before the expiration of such license, sells or otherwise disposes of such vehicle, and thereafter acquires another vehicle and desires to transfer the vehicle license originally issued for the vehicle disposed of to such newly-acquired vehicle, such owner shall immediately make application to the Department for a transfer of said vehicle license to the newly-purchased vehicle. Said application shall state the name and address of the licensee and the name and address of the purchaser of said vehicle, together with a description of the newly-purchased vehicle. Upon surrender of the original license and transparent sticker or vehicle tag in case a metal tag has been issued, or upon proof that the transparent sticker or plate has been destroyed, the Department shall transfer said license to apply to the new-acquired vehicle upon payment of the proper license fee of \$10.00, provided, that the Department shall not transfer any license where the transparent sticker emblem issued under said license is defaced or mutilated so as to prevent identification of the emblem. It shall be unlawful for any person to displace a transparent sticker emblem on any vehicle other than the vehicle for which the emblem was originally issued, without first transferring the license to such other vehicle, as provided herein.

(b) The owner of any vehicle licensed under this article shall promptly notify the Department whenever the transparent sticker emblem issued under such license is lost, stolen or destroyed. A duplicate transparent sticker may be purchased from the Department for \$20.00.

Sec. 74-564. ~~Transfer~~ Dealer license.

~~(a) — Whenever the owner of any vehicle licensed under this article, before the expiration of such license, sells or otherwise disposes of such vehicle, and thereafter acquires another vehicle and desires to transfer the vehicle license originally issued for the vehicle disposed of to such newly-acquired vehicle, such owner shall immediately make application to the Department for a transfer of said vehicle license to the newly-purchased vehicle. Said application shall state the name and address of the licensee and the name and address of the purchaser of said vehicle, together with a description of the newly-purchased vehicle. Upon surrender of the original license and transparent sticker or vehicle tag in case a metal tag has been issued, or upon proof that the transparent sticker or plate has been destroyed, the Department shall transfer said license to apply to the new-acquired vehicle upon payment of the proper~~

~~license fee of \$10.00, provided, that the Department shall not transfer any license where the transparent sticker emblem issued under said license is defaced or mutilated so as to prevent identification of the emblem. It shall be unlawful for any person to displace a transparent sticker emblem on any vehicle other than the vehicle for which the emblem was originally issued, without first transferring the license to such other vehicle, as provided herein.~~

~~(b) — The owner of any vehicle licensed under this article shall promptly notify the Department whenever the transparent sticker emblem issued under such license is lost, stolen or destroyed. A duplicate transparent sticker may be purchased from the Department for \$20.00.~~

(a) — If any manufacturer or dealer of any of the motor vehicles mentioned in this article shall make application to the Department and shall state that the manufacturer or dealer is a manufacturer operating a plant for the construction of motor vehicles within the unincorporated area of Cook County, or a dealer in such motor vehicles with a salesroom located within the unincorporated area of Cook County, and desires a license emblem to be used by the dealer or manufacturer, the Department shall upon payment by such applicant of the fee hereinafter set for to such manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon. Said emblem must be attached to or borne by any such motor vehicles while being operated on the streets of the unincorporated area of Cook County. When any such vehicle is in use and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under the provision of this article.

(b) — The annual license fee to be paid for each such license plate or transparent sticker license emblem shall be \$20.00, and said fee shall not be prorated.

(c) — Every manufacturer or dealer applying for said plates or transparent sticker license emblem must submit to the Department satisfactory proof of the person's status as such manufacturer or dealer and satisfactory proof of the number of sets of dealer's plates issued to the application by the State of Illinois; provided that no license plates or transparent sticker license emblems shall be issued under this article unless the applicant is in possession of an Illinois dealer's license for the current year. The total number of license plates and transparent sticker license emblems that may be obtained under this article shall not exceed the number of sets of dealer's license plates issued to the applicant by the State.

(d) — No such license, plate or emblem shall be used on any motor vehicle rented by such manufacturer or dealer, or on any vehicle used to transport persons or property for hire, or on any vehicle unless such vehicle is operated under a dealer's license issued by the State of Illinois and to which both State license plates are attached.

Sec. 74-565. Dealer license Business vehicle identification.

~~(a) — If any manufacturer or dealer of any of the motor vehicles mentioned in this article shall make application to the Department and shall state that the manufacturer or dealer is a manufacturer operating a plant for the construction of motor vehicles within the unincorporated area of Cook County, or a dealer in such motor vehicles with a salesroom located within the unincorporated area of Cook County, and desires a license emblem to be used by the dealer or manufacturer, the Department shall upon payment by such applicant of the fee hereinafter set for to such manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon. Said emblem must be attached to or borne by any such motor vehicles while being operated on the streets of the unincorporated area of Cook County. When any such vehicle is in use and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under the provision of this article.~~

~~(b) — The annual license fee to be paid for each such license plate or transparent sticker license emblem shall be \$20.00, and said fee shall not be prorated.~~

~~(c) — Every manufacturer or dealer applying for said plates or transparent sticker license emblems must submit to the Department satisfactory proof of the person's status as such manufacturer or dealer and satisfactory proof of the number of sets of dealer's plates issued to the application by the State of Illinois; provided that no license plates or transparent sticker license emblems shall be issued under this article unless the applicant is in possession of an Illinois dealer's license for the current year. The total number of license plates and transparent sticker license emblems that may be obtained under this article shall not exceed the number of sets of dealer's license plates issued to the applicant by the State.~~

~~(d) — No such license, plate or emblem shall be used on any motor vehicle rented by such manufacturer or dealer, or on any vehicle used to transport persons or property for hire, or on any vehicle unless such vehicle is operated under a dealer's license issued by the State of Illinois and to which both State license plates are attached.~~

It shall be unlawful for any person to use or to cause or permit any of a person's employees to use any motor vehicle, or other vehicle, in the transportation of property upon the public ways of the unincorporated area of Cook County unless such vehicle shall have the name and address of the owner thereof, and a serial number distinguishing said vehicle from any other vehicle controlled or used by the same person plainly painted, in the letters at least one and one-half inches in length, in a conspicuous place on the outside of such vehicle, provided that any such person using and operating in the unincorporated area of Cook County more than five such vehicles may cause such name and serial number to be painted on each vehicle as foresaid in letter not less than three inches in length and omit therefrom the address of such person; provided, further, that in event if such vehicle is used or operated continuously by a lessee or bailee or other person having complete control over such vehicle, instead of the owner thereof, the name and address and serial number or name and serial number, as the case may be, of such lessee, bailee or other person using and operating said vehicle may be used as if the person were the owner thereof. Such name, address and serial number, or name and serial number, as the case may be, shall be kept so painted, plainly and distinctly, at all times while such vehicle is in use on the public ways of the unincorporated area of Cook County. This section shall not be construed as applying to any motor vehicle, or other vehicle which is used exclusively for noncommercial purposes.

Sec. 74-566. Business vehicle identification Right to inspect.

~~It shall be unlawful for any person to use or to cause or permit any of a person's employees to use any motor vehicle, or other vehicle, in the transportation of property upon the public ways of the unincorporated area of Cook County unless such vehicle shall have the name and address of the owner thereof, and a serial number distinguishing said vehicle from any other vehicle controlled or used by the same person plainly painted, in the letters at least one and one half inches in length, in a conspicuous place on the outside of such vehicle, provided that any such person using and operating in the unincorporated area of Cook County more than five such vehicles may cause such name and serial number to be painted on each vehicle as foresaid in letter not less than three inches in length and omit therefrom the address of such person; provided, further, that in event if such vehicle is used or operated continuously by a lessee or bailee or other person having complete control over such vehicle, instead of the owner thereof, the name and address and serial number or name and serial number, as the case may be, of such lessee, bailee or other person using and operating said vehicle may be used as if the person were the owner thereof. Such name, address and serial number, or name and serial number, as the case may be, shall be kept so painted, plainly and distinctly, at all times while such vehicle is in use on the public ways of the unincorporated area of Cook County. This section shall not be construed as applying to any motor vehicle, or other vehicle which is used exclusively for nonecommercial purposes.~~

The Cook County Sheriff's Police are hereby authorized to issue citations to any vehicle registered to an address in unincorporated Cook County on the public way in unincorporated Cook County that is not displaying a Cook County vehicle sticker and furthermore, officers of the Cook County Sheriff's Police shall have the authority to enter the following places for purposes of ascertaining whether vehicles parked therein are in compliance with this article and issue citations accordingly:

- (1) Any parking lot that is open to pedestrian traffic. Nothing in this section authorizes any officer to force, break, or remove any lock or door in order to gain entry to any of the foregoing places.

Sec. 74-567. ~~Right to inspect~~ Penalty for ordinance violation.

~~The Cook County Sheriff's Police are hereby authorized to issue citations to any vehicle registered to an address in unincorporated Cook County on the public way in unincorporated Cook County that is not displaying a Cook County vehicle sticker and furthermore, officers of the Cook County Sheriff's Police shall have the authority to enter the following places for purposes of ascertaining whether vehicles parked therein are in compliance with this article and issue citations accordingly:~~

- ~~(1) Any parking lot that is open to pedestrian traffic. Nothing in this section authorizes any officer to force, break, or remove any lock or door in order to gain entry to any of the foregoing places.~~

(a) Late fee. Any owner as defined in Section 74-551 or 74-552 who purchases a license after July 1 or other due date as defined in Section 74-559(b) or (c) shall pay a late fee penalty equal to the amount due for the license fee but not less than \$25.00 per license, whichever is more. Persons over age 65, physically handicapped individuals, or disabled veterans shall not be charged more than \$25.00 for a late fee.

(b) Back dated fees. Any person or motor vehicle as defined in Section 74-551 or 74-552 who did not purchase a license after the effective date may be required to pay the entire amount of fees due for each of the prior three years that the fee had not been paid.

(c) Penalty for failure to properly display sticker or unlawful use of sticker on another vehicle. Any owner, driver or motor vehicle in violation of these provisions requiring a license shall be fined not less than \$75.00 per offense nor more than \$150.00 per offense.

(d) Purchase of a license after the due date. Purchase of a license after the due date shall not result in an order of compliance discharge or a finding of not guilty by any court or administrative hearing and penalties and fines, contained herein shall be mandatory.

Sec. 74-568. ~~Penalty for ordinance violation~~ Penalty for unlawful removal.

~~(a) Late fee. Any owner as defined in Section 74-551 or 74-552 who purchases a license after July 1 or other due date as defined in Section 74-559(b) or (c) shall pay a late fee penalty equal to the amount due for the license fee but not less than \$25.00 per license, whichever is more. Persons over age 65, physically handicapped individuals, or disabled veterans shall not be charged more than \$25.00 for a late fee.~~

~~(b) Back dated fees. Any person or motor vehicle as defined in Section 74-551 or 74-552 who did not purchase a license after the effective date may be required to pay the entire amount of fees due for each of the prior three years that the fee had not been paid.~~

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~~(e) — Penalty for failure to properly display sticker or unlawful use of sticker on another vehicle. Any owner, driver or motor vehicle in violation of these provisions requiring a license shall be fined not less than \$75.00 per offense nor more than \$150.00 per offense.~~

~~(d) — Purchase of a license after the due date. Purchase of a license after the due date shall not result in an order of compliance discharge or a finding of not guilty by any court or administrative hearing and penalties and fines, contained herein shall be mandatory.~~

(a) Except as otherwise provided in 50 ILCS 45/80, any person who shall take, destroy, remove, or obliterate any license tag, plate or emblem provided for in this article, without the consent of the owner of the vehicle, shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Every such wrongful destruction, obliteration or removal of such license tag, plate or emblem from any vehicle shall be considered a separate offense.

(b) Except as otherwise provided in 50 ILCS 45/80, any person violating any provision of this article where the penalty is not otherwise herein provided for shall be fined not less than \$50.00 dollars nor more than \$200.00 for each offense. A separate and distinct offense shall be considered as committed for each and every day any wagon or vehicle is used upon the public ways of the unincorporated area of Cook County without having procured a license and without having complied with the provisions of this article.

(c) The license and fees herein imposed is in addition to all other taxes imposed by the Government of the United States, the State of Illinois or by any unit of local government.

Sec. 74-569. — Penalty for unlawful removal.

~~(a) — Except as otherwise provided in 50 ILCS 45/80, any person who shall take, destroy, remove, or obliterate any license tag, plate or emblem provided for in this article, without the consent of the owner of the vehicle, shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Every such wrongful destruction, obliteration or removal of such license tag, plate or emblem from any vehicle shall be considered a separate offense.~~

~~(b) — Except as otherwise provided in 50 ILCS 45/80, any person violating any provision of this article where the penalty is not otherwise herein provided for shall be fined not less than \$50.00 dollars nor more than \$200.00 for each offense. A separate and distinct offense shall be considered as committed for each and every day any wagon or vehicle is used upon the public ways of the unincorporated area of Cook County without having procured a license and without having complied with the provisions of this article.~~

~~(c) — The license and fees herein imposed is in addition to all other taxes imposed by the Government of the United States, the State of Illinois or by any unit of local government.~~

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 of the Cook County Code of Ordinances is hereby amended as follows:

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Sec. 32-1. Fee schedule.

| Class | | Annual License Fee (in dollars) |
|-------------------|---|---------------------------------|
| | MOTOR VEHICLES | |
| MB | Motor bicycles or motor tricycles | 25.00 |
| XSV | Smaller passenger vehicles with a curb weight under 4,500 pounds | 40.00 |
| XLV | Larger passenger vehicles with a curb weight of at least 4,500 pounds and hearses, ambulances, and privately owned, noncommercial motorized vacation camper or other motorized recreation vehicle | 50.00 |
| NF | <u>Vehicles owned by the United States Government, State of Illinois or units of local government or vehicles owned by non profit organizations or buses owned and operated by churches or vehicles owned by persons with a disability, disabled veterans and persons over the age of 65. (See Sec. 74-554 Exemptions including limitations).</u> | <u>No Fee</u> |
| PH | Physically handicapped individuals (requires proof of registration with State of Illinois under 625 ILCS 5/3-616) | No Fee |
| DV | Disabled veterans (requires proof of service connected disability) | No Fee |
| Z | School, church and nonprofit buses (as defined in Section 74-554) | No Fee |
| M | Municipally owned vehicles | No Fee |
| SB | Privately owned school buses | 15.00 |
| | RECREATIONAL TRAILERS | |
| RT | All noncommercial recreational trailers, including boat trailers, snowmobile trailers, horse trailers, camping trailers and other noncommercial, nonmotorized recreational trailers | 30.00 |
| | COMMERCIAL TRAILERS | |
| CT | All commercial trailers regardless of gross weight in pounds of vehicle plus its maximum load | 75.00 |
| | MOTOR TRUCKS, TRACTOR-SEMITRAILER UNITS AND MOTOR BUSES | |
| | (Gross weight in pounds of vehicle plus its maximum load) | |
| A | Up to 10,000 lbs. | 50.00 |
| B | 10,001 to 20,000 lbs. | 75.00 |
| C | 20,001 to 36,000 lbs. (2 or more axles) | 90.00 |
| D | 36,001 to 50,000 lbs. (3 or more axles) | 100.00 |
| E | 50,001 to 75,000 lbs. (4 or more axles) | 115.00 |
| 74-557 | License fees for motor vehicles in Classes XSV and XLV, excluding ambulances and hearses, owned by persons 65 years of age and older shall, upon satisfactory proof of age, be charged a one-time fee for the duration of the ownership of such vehicle. Such discount is limited to two cars owned by the same owner | 5.00 |

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| Class | | Annual License Fee (in dollars) |
|-----------|---|---------------------------------|
| | MOTOR TRUCKS, TRACTOR-SEMITRAILER UNITS AND MOTOR BUSES | |
| | (Gross weight in pounds of vehicle plus its maximum load) | |
| 74-565(b) | Annual license fee for dealer license plate or transparent sticker license emblem, each plate or emblem | 20.00 |

Effective Date: This Ordinance Amendment shall be effective upon adoption.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

298150 **COOK COUNTY CLERK MARRIAGE APPLICATION AUTOMATION FEE (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated December 22, 2008 from David Orr, County Clerk by Clem Balanoff, Deputy County Clerk: the County Clerk is seeking to amend Chapter 2 Administration, Section 2-173 and Chapter 32 Fees, Section 32-1 of the Cook County Code to add an automation fee of \$5.00 for marriage license applications. This \$5.00 fee will raise the marriage license application fee to \$40.00 and will generate approximately \$150,000.00 per year in the County Clerk's automation fund to be used to support, maintain and upgrade technology systems in the Office of Vital Records, Bureau of Tax Services and office of the Clerk of the Board.

Submitting a Proposed Ordinance Amendment sponsored by

JOSEPH MARIO MORENO, County Commissioner

PROPOSED ORDINANCE AMENDMENT

COOK COUNTY CLERK MARRIAGE APPLICATION AUTOMATION FEE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Section 2-173 Cook County Clerk Automation Fee is hereby amended as follows:

Sec. 2-173. Cook County Clerk automation fee.

(a) Cook County Clerk Vital Records automation fee. The fees in Section 2-174 include an automation fee as set out in Section 32-1, which shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

(b) Cook County Clerk marriage application automation fee. The automation fee to apply for a marriage license as set out in Section 32-1 shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 Fee Schedule of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below-listed sections shall be as shown below:

| Code Section | Description | Fees, Rates, Charges (in dollars) |
|----------------------------------|--|--------------------------------------|
| CHAPTER 2, ADMINISTRATION | | |
| <u>2-173(a)</u> | <u>Vital records Aautomation fee</u> | <u>2.00</u> |
| <u>2-173(b)</u> | <u>Marriage application automation fee</u> | <u>5.00</u> |

* Referred to the Committee on Finance on 01/13/09.

COMMISSIONER MORENO, SECONDED BY COMMISSIONER MURPHY, MOVED THAT THE ORDINANCE AMENDMENT (COMMUNICATION NO. 298150) BE APPROVED AND ADOPTED. THE MOTION CARRIED.

**09-O-17
ORDINANCE**

Sponsored by

THE HONORABLE JOSEPH MARIO MORENO, COUNTY COMMISSIONER

COOK COUNTY CLERK MARRIAGE APPLICATION AUTOMATION FEE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Section 2-173 Cook County Clerk Automation Fee is hereby amended as follows:

Sec. 2-173. Cook County Clerk automation fee.

(a) Cook County Clerk Vital Records automation fee. The fees in Section 2-174 include an automation fee as set out in Section 32-1, which shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

(b) Cook County Clerk marriage application automation fee. The automation fee to apply for a marriage license as set out in Section 32-1 shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 Fee Schedule of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below-listed sections shall be as shown below:

TABLE INSET:

| <i>Code Section</i> | <i>Description</i> | <i>Fees, Rates, Charges (in dollars)</i> |
|----------------------------------|---|--|
| CHAPTER 2, ADMINISTRATION | | |
| <u>2-173(a)</u> | <u>Vital records Automation fee</u> | <u>2.00</u> |
| <u>2-173(b)</u> | <u>Marriage application automation fee</u> | <u>5.00</u> |

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

298635 **CREATION OF A MONTHLY ONLINE CHECK REGISTER** (PROPOSED RESOLUTION). Submitting a Proposed Resolution sponsored by Anthony J. Peraica, County Commissioner; Co-Sponsored by John P. Daley, Elizabeth "Liz" Doody Gorman, Gregg Goslin, Timothy O. Schneider and Peter N. Silvestri, County Commissioners.

PROPOSED RESOLUTION

CREATION OF A MONTHLY ONLINE CHECK REGISTER

WHEREAS, trust in government is at an all time low; and

WHEREAS, it is important to restore confidence and trust in government; and

WHEREAS, it is incumbent upon this honorable body to lead by example and demonstrate a commitment to accountability and transparency; and

WHEREAS, DuPage County has implemented a monthly online check register that can be accessed via the DuPage County website; and

WHEREAS, the residents and taxpayers of Cook County would be well served by the implementation of a similar system.

NOW, THEREFORE, BE IT RESOLVED, that the President and Cook County Board of Commissioners do hereby direct the Cook County Comptroller to establish a monthly check register of its main checking account that can be accessed via the Cook County Web Page; and

BE IT FURTHER RESOLVED, that the check register shall contain the check number, vendor name, amount, brief description of the expenditure, date, purchase order number and budget code; and

BE IT FURTHER RESOLVED, that the Comptroller's office shall post each month's check registry online no more than 30 days after Board approval of accounts payable.

*** Referred to the Committee on Finance on 02/04/09.**

COMMISSIONER PERAICA, SECONDED BY COMMISSIONER SILVESTRI, MOVED THAT THE RESOLUTION BE APPROVED AND ADOPTED.

COMMISSIONERS GORMAN, GOSLIN, SCHNEIDER, SILVESTRI AND DALEY ASKED TO BE ADDED AS CO-SPONSORS.

COMMISSIONER PERAICA, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO AMEND PARAGRAPH SIX, BY ADDING THE WORDS "OF ITS MAIN CHECKING ACCOUNT", AS FOLLOWS:

NOW, THEREFORE, BE IT RESOLVED, that the President and Cook County Board of Commissioners do hereby direct the Cook County Comptroller to establish a monthly check register of its main checking account that can be accessed via the Cook County Web Page; and

THE MOTION TO AMEND CARRIED.

ON THE MAIN MOTION TO APPROVE AND ADOPT THE RESOLUTION (COMMUNICATION NO. 298635) AS AMENDED, COMMISSIONER PERAICA CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

**ROLL CALL ON MOTION TO
APPROVE AS AMENDED**

YEAS: COMMISSIONERS BUTLER, CLAYPOOL, GORMAN, GOSLIN, MALDONADO, PERAICA, SCHNEIDER, SILVESTRI, SUFFREDIN AND CHAIRMAN DALEY (10)

NAYS: COMMISSIONERS BEAVERS AND MORENO (2)

PRESENT: VICE CHAIRMAN SIMS (1)

ABSENT: COMMISSIONERS COLLINS, MURPHY, QUIGLEY AND STEELE (4)

THE MOTION CARRIED AND THE RESOLUTION WAS APPROVED AND ADOPTED, AS AMENDED.

**09-R-120
RESOLUTION**

Sponsored by

THE HONORABLE ANTHONY J. PERAICA, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE JOHN P. DALEY, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, TIMOTHY O. SCHNEIDER AND PETER N. SILVESTRI
COUNTY COMMISSIONERS**

CREATION OF A MONTHLY ONLINE CHECK REGISTER

WHEREAS, trust in government is at an all time low; and

WHEREAS, it is important to restore confidence and trust in government; and

WHEREAS, it is incumbent upon this honorable body to lead by example and demonstrate a commitment to accountability and transparency; and

WHEREAS, DuPage County has implemented a monthly online check register that can be accessed via the DuPage County website; and

WHEREAS, the residents and taxpayers of Cook County would be well served by the implementation of a similar system.

NOW, THEREFORE, BE IT RESOLVED, that the President and Cook County Board of Commissioners do hereby direct the Cook County Comptroller to establish a monthly check register of its main checking account that can be accessed via the Cook County Web Page; and

BE IT FURTHER RESOLVED, that the check register shall contain the check number, vendor name, amount, brief description of the expenditure, date, purchase order number and budget code; and

BE IT FURTHER RESOLVED, that the Comptroller’s office shall post each month’s check registry online no more than 30 days after Board approval of accounts payable.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

298637 **INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM) BILLS.** Transmitting a Communication, dated January 30, 2009 from Joseph Mario Moreno, County Commissioner:

requesting that the Cook County Board of Commissioners reconsider and approve Communication Nos. 295556 and 295558 for payment, which were previously denied for payment on the Finance Agenda at the January 13, 2009 Finance Committee Meeting.

Communication No. 295556

INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM), Pittsburgh, Pennsylvania, submitting two (2) invoices totaling \$764,075.75, part payment for Contract No. 05-41-651, for Phase 2 of a state of the art interoperable mobile video and data network system for first responders for the Homeland Security Public Safety initiative for the Bureau of Technology (769-570 Account). Purchase Order No. 161895, approved by County Board April 6, 2005, November 18, 2005, February 15, 2006 and November 20, 2007.

Communication No. 295558

INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM), Pittsburgh, Pennsylvania, submitting invoice totaling \$251,862.28, part payment for Contract No. 05-41-651, for Phase 2 of a state of the art interoperable mobile video and data network system for first responders for the Homeland Security Public Safety initiative for the Bureau of Technology (769-570 Account). (See Comm. No. 293290). Purchase Order No. 148435, approved by County Board April 6, 2005, November 18, 2005, February 15, 2006 and November 20, 2007.

The two above listed invoices reflect a payment request for \$1,015,938.03; these funds have been set aside in the Cook County Board approved grant (FFY 2005 UASI) that will expire on March 31, 2009.

*** Referred to the Committee on Finance on 02/04/09.**

COMMISSIONER MORENO, SECONDED BY COMMISSIONER MALDONADO, MOVED THAT COMMUNICATION NO. 298637 BE RECEIVED AND FILED. THE MOTION CARRIED.

298804 **COUNTYWIDE CONTRACTS FOR THE PURCHASE OF VEHICLES.** Transmitting a Communication, dated January 14, 2009 from Thomas J. Dart, Sheriff of Cook County by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into and execute contracts with the following vendors for the purpose of providing a countywide contract for the purchase of various types of Ford and Chevrolet brand vehicles.

VENDOR

AMOUNT

Metro Ford
Chicago, Illinois

\$1,108,479.00

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| <u>VENDOR</u> | <u>AMOUNT</u> |
|---|------------------------|
| Sutton Ford Matteson, Illinois | \$5,197,272.00 |
| Miles Chevrolet Decatur, Illinois | \$6,774,706.00 |
| Advantage Chevrolet Hodgkins, Illinois | \$ 135,749.00 |
| Total | \$13,216,206.00 |

Reason: The Cook County Sheriff's Office, with the consultation and approval of the Vehicle Steering Committee conducted a Request for Proposal (RFP) for the purchase of various Chevrolet and Ford brand vehicles. Metro Ford, Sutton Ford, Miles Chevrolet and Advantage Chevrolet are the selected vendors because they offered the most economical price and met all the technical specifications for the RFP. It has become necessary to seek board approval at this time due to Chevrolet's March 4, 2009 deadline for ordering Malibu Hybrid vehicles.

Total Estimated Fiscal Impact: \$13,216,206.00. Contract period: March 1, 2009 through August 30, 2009. (717/various departments-549 Account.).

~~Sufficient funds have been appropriated to cover this request.~~

Approval of this item requires the issuance of general obligation Capital Improvement Bonds.

The Vehicle Steering Committee concurs with this recommendation.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Communication No. 298804 was further amended at the February 18, 2009 Board Meeting to include the detailed breakdown of the Consolidated Summary of Countywide Vehicle Contracts by Vendor and Model chart.

* Referred to the Committee on Finance as amended on 02/18/09.

** Withdrawn at the Finance Committee Meeting on 02/20/09.

NOTE: The Sheriff's Office has submitted an amendment to this item. The amendment is submitted herewith and made a part hereof.

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Consolidated Summary of Countywide Vehicle Contracts by Vendor and Model

| | | METRO FORD | | SUTTON FORD | | | MILES CHEVROLET | | | ADVANTAGE CHEVROLET | | |
|-------------------------------|------------------------|------------------------|------------------------|-------------------------------------|-------------------------|------------------------|---------------------------------|-------------------------|------------------------------------|--------------------------------------|--------------------|------------|
| | | | | | | | | | | | | |
| Department | Cost of Vehicles | Ford Escape Hybrid-4WD | Ford Escape Hybrid-2WD | Ford Crown Victoria -Police Package | Ford E-150XL-Window Van | Ford E-150XL-Cargo Van | Chevrolet Impala-Police Package | Chevrolet Malibu-Hybrid | Chevrolet Tahoe 2WD-Police Package | Chevrolet Express Van-Police Package | Chevrolet Suburban | TOTAL |
| Sheriff's Dept. | \$8,620,738.00 | 4 | 26 | 170 | 30 | | 50 | 80 | 10 | | 2 | 372 |
| State Attorney Office | \$2,085,814.00 | | | | | 1 | 91 | 15 | | | | 107 |
| Office of the Chief Judge | \$21,650.00 | | | | | 1 | | | | | | 1 |
| Juvenile Probation | \$276,751.00 | | | | 1 | | 9 | | 2 | | | 12 |
| Adult Probation | \$561,796.00 | | | | | 2 | 24 | | | | | 26 |
| Environmental Control | \$173,810.00 | 3 | | | | 1 | | 3 | | | | 7 |
| Independent Inspector General | \$77,796.00 | | | 2 | | | 2 | | | | | 4 |
| Medical Examiner | \$21,155.00 | | | 1 | | | | | | | | 1 |
| Clerk of the Circuit Court | \$104,268.48 | | | | 1 | 1 | | | | 2 | | 4 |
| County Treasurer | \$29,362.00 | 1 | | | | | | | | | | 1 |
| Public Health | \$29,362.00 | 1 | | | | | | | | | | 1 |
| Central Services | \$79,742.00 | 2 | | | | | | 1 | | | | 3 |
| Facilities Management | \$161,750.00 | | | | | 3 | | | 4 | | | 7 |
| TOTAL | \$12,243,994.48 | 11 | 26 | 173 | 32 | 9 | 176 | 99 | 16 | 2 | 2 | 546 |
| Additional Allowance | \$972,211.52 | | | | | | | | | | | |
| Total Contract Funds | \$13,216,206.00 | | | | | | | | | | | |

COMMISSIONER MORENO, SECONDED BY COMMISSIONER SILVESTRI, MOVED THAT COMMUNICATION NO. 298804 BE RECEIVED AND FILED. THE MOTION CARRIED.

298816 **CLERK OF THE CIRCUIT COURT**, Dorothy Brown, transmitting a Communication, dated February 9, 2009:

requesting authorization for the Purchasing Agent to enter into a contract with **P. NEILL PETRONELLA**, Chicago, Illinois, for professional services as a labor relations consultant.

Reason: P. Neill Petronella was selected through the Request For Qualifications (RFQ) process. Three vendors submitted responses to the RFQ. The vendor that was selected met all requirements under the RFQ process, had extensive knowledge and experience in employment and labor relations, and was the lowest cost.

Estimated Fiscal Impact: \$199,500.00. Contract period: March 1, 2009 through February 28, 2010. (335-261 Account). Requisition No. 93350014.

*** Referred to the Committee on Finance on 02/18/09.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER SILVESTRI, MOVED APPROVAL OF COMMUNICATION NO. 298816.

A SUBSTITUTE MOTION WAS MADE BY COMMISSIONER MORENO, SECONDED BY COMMISSIONER SILVESTRI, TO DEFER CONSIDERATION OF COMMUNICATION NO. 298816. FOLLOWING DISCUSSION, COMMISSIONERS MORENO AND SILVESTRI WITHDREW THEIR MOTION TO DEFER.

IN ACCORDANCE WITH COOK COUNTY CODE SECTION 2-105(g), "Referrals to committees", COMMISSIONER MORENO, SECONDED BY COMMISSIONER SILVESTRI, MOVED TO REFER COMMUNICATION NO. 298816 TO THE LITIGATION SUBCOMMITTEE OF THE FINANCE COMMITTEE. THE MOTION CARRIED.

SECTION 10

Your Committee has considered the bids submitted on the items hereinafter described in accordance with the specifications on file in the Office of the County Purchasing Agent. Communications from the County Purchasing Agent submitting recommendations on the award of contracts for said items, be and by the adoption of this Report, awarded as follows. The deposit checks are ordered returned to the unsuccessful bidders at once and to the successful bidders upon the signing of the contract.

Item numbers correspond to backup material for this meeting's agenda, and may appear out of numeric sequence in this report.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE RECOMMENDATIONS REGARDING BID ITEMS 1 THROUGH 4.

WITH RESPECT TO ITEM 4, COMMISSIONER MURPHY, SECONDED BY COMMISSIONER SILVESTRI, MOVED TO REJECT THE AWARD OF CONTRACT NO. 08-53-338 TO NATIONAL ROOFING CORPORATION IN THE AMOUNT OF \$533,700.00 FOR THE COUNTYWIDE ROOF REPLACEMENT PROJECT (PHASE IV) AT THE CRIMINAL COURTS ADMINISTRATION BUILDING, FANTUS CLINIC AND OAK FOREST HOSPITAL OF COOK COUNTY POWER HOUSE FOR THE OFFICE OF CAPITAL PLANNING AND POLICY, AND AUTHORIZE THE PURCHASING AGENT TO REBID SAID CONTRACT.

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MALDONADO, MOVED TO DEFER CONSIDERATION OF ITEM 4.

COMMISSIONER BEAVERS MOVED TO LAY THE MOTION TO DEFER ITEM 4 ON THE TABLE. THE MOTION DIED FOR LACK OF A SECOND.

ON THE MOTION TO DEFER ITEM 4, COMMISSIONER PERAICA CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

ROLL CALL ON MOTION TO DEFER ITEM 4 (CONTRACT NO. 08-53-338)

YEAS: COMMISSIONERS CLAYPOOL, MALDONADO, MORENO, PERAICA, QUIGLEY, SILVESTRI AND CHAIRMAN DALEY (7)

NAYS: COMMISSIONERS BEAVERS, BUTLER, GORMAN, GOSLIN, MURPHY, SCHNEIDER, VICE CHAIRMAN SIMS, STEELE AND SUFFREDIN (9)

ABSENT: COMMISSIONER COLLINS (1)

THE MOTION TO DEFER ITEM 4 (CONTRACT NO. 08-53-338) FAILED.

ON THE MOTION TO REJECT THE AWARD OF CONTRACT NO. 08-53-338 (ITEM 4) AND AUTHORIZE THE PURCHASING AGENT TO REBID, COMMISSIONER PERAICA CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

**ROLL CALL ON MOTION TO REJECT
THE AWARD OF CONTRACT NO. 08-53-338 (ITEM 4)
AND AUTHORIZE THE PURCHASING AGENT TO REBID**

YEAS: COMMISSIONERS BEAVERS, BUTLER, CLAYPOOL, GORMAN, GOSLIN, MALDONADO, MORENO, MURPHY, QUIGLEY, SCHNEIDER, SILVESTRI, VICE CHAIRMAN SIMS, STEELE, SUFFREDIN AND CHAIRMAN DALEY (15)

NAYS: COMMISSIONER PERAICA (1)

ABSENT: COMMISSIONER COLLINS (1)

THE MOTION TO REJECT THE AWARD OF CONTRACT NO. 08-53-338 (ITEM 4) AND AUTHORIZE THE PURCHASING AGENT TO REBID SAID CONTRACT CARRIED.

A VOTE WAS TAKEN ON THE MAIN MOTION AS AMENDED, TO APPROVE THE RECOMMENDATIONS REGARDING BID ITEMS 1 THROUGH 3. THE MOTION CARRIED.

BID RECOMMENDED FOR AWARD

Item 2 **CONTRACT NO. 08-72-339**

Plumbing supplies for the Department of Facilities Management, to:

Johnson Pipe & Supply Company \$353,548.98

COMMISSIONER MORENO VOTED PRESENT, AND COMMISSIONERS CLAYPOOL, QUIGLEY AND SUFFREDIN VOTED NO ON ITEM 2.

BID REJECTED AND AUTHORIZED FOR REBID

Item 4 Contract No. 08-53-338

Countywide roof replacement project (Phase IV) at the Criminal Courts Administration Building, Fantus Clinic and Oak Forest Hospital of Cook County Power House, for the Office of Capital Planning and Policy

BIDS RECOMMENDED FOR CANCELLATION AND REBID

Item 1 Contract No. 08-83-305

Toothbrushes, toothpaste and razors for the Department of Corrections

Item 3 Contract No. 08-53-384

Armored car services (Zone 1) for the County Clerk's Office, Recorder of Deeds Office, and the Clerk of the Circuit Court

SECTION 11

Your Committee has considered the highway bills submitted by the Superintendent of Highways for approval and payment.

Your Committee, after considering said bills, recommends that they be, and by the adoption of this report, approved.

**COOK COUNTY, ILLINOIS
COMPTROLLER'S OFFICE JOURNAL
BILLS TRANSMITTED FROM DEPARTMENT OF HIGHWAYS
COOK COUNTY HIGHWAY DEPARTMENT - MARCH 4, 2009**

| VENDOR | DESCRIPTION | AMOUNT |
|---|---|---------------|
| <u>MOTOR FUEL TAX FUND NO. 600-600</u> | | |
| A. Lamp Concrete Contactors, Inc. | Section: 02-V6542-03-PV Old Plum Grove Road, Algonquin Road to Meacham Road Estimate #12 | \$ 41,934.53 |
| Albin Carlson & Company | Section: 04-B8431-08-PV 171st Street, Wood Street to Ashland Avenue Estimate #24 | 162,639.40 |
| D. Construction, Inc. | Section: 06-W2509-05-FP 104th Avenue, 167th Street to 159th Street Estimate #14 | 146,005.90 |
| Gallagher Asphalt Corporation | Section: 08-B8526-03-RS Oak Forest Avenue, Ridgeland Avenue to 167th Street Estimate #6 | 15,395.20 |
| Greco Contractors, Inc. | Section: 07-B1922-02-RP Fullerton Avenue, Indiana Harbor Belt Railroad to Des Plaines River Road Estimate #13 | 89,970.24 |
| J.A. Johnson Paving Company | Section: 08-A6603-02-RS Schaumburg Road, Chicago Elgin Road to west of Sutton Road Estimate #5 | 77,415.52 |

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| VENDOR | DESCRIPTION | AMOUNT |
|--|---|---|
| K-Five Construction Corporation | Section: 88-B7430-02-RP 119th Street, Crawford Avenue to Western Avenue Estimate #7 | \$ 8,112.85 |
| Illinois State Toll Highway Authority | Section: 08-W2445-06-BR Sanders Road Bridge over the Tri-State Tollway (I-294) Bill #1 | 495,600.00 |
| Patrick Engineering, Inc. | Section: 03-6HESS-08-ES Drainage Engineering Services Various locations Work Order #7, Estimate #8 and final | 3,269.83 |
| Christopher B. Burke Engineering, Ltd. | Section: 06-8TSDS-07-ES Electrical Engineering Design Services Various Locations Work Order #4, Estimate #7 Work Order #5, Estimate #8 | 826.10 2,895.64 |
| Meade Electric Company, Inc. | Section: 08-8EMIM-36-GM Maintenance Charges December 2008 Extra work Authorization #2008022 Authorization #2008025 Authorization #2008026 | 150,735.00 67.13 127.25 857.60 |
| Meade Electric Company, Inc. | Section: 06-8EMIM-33-GM Extra work Authorization #2006018 | 2,200.00 |
| Gallagher Asphalt Corporation | Section: 08-CBITS-02-GM Bituminous Premix (Cold Patch) Estimate #5 | 5,407.92 |
| Arrow Road Construction Company | Section: 08-CBITN-02-GM Bituminous Premix (Cold Patch) Estimate #3 | 5,183.64 |
| Morton Salt | Section: 08-8SALT-29-GM Salt Estimate #3 | 942,824.55 <u>942,824.66</u> |

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| VENDOR | DESCRIPTION | AMOUNT |
|----------------------------|--|-------------|
| TranSystems Corporation | Section: 05-V6246-10-ES Quentin Road, Dundee Road to Lake-Cook Road Invoice #33 | \$ 3,649.50 |
| Highway Technologies, Inc. | Section: 08-8SPAM-29-GM Sign Panel Assembly Maintenance-2008 Estimate #10 | 30,725.61 |

NEGOTIATION SERVICES

| | | |
|-----------------------|-------------------------|----------|
| RIDGELAND AVENUE | SECTION: 00-W3701-02-FP | |
| Mathewson & Mathewson | TR: 055 | 1,200.00 |
| CENTER STREET | SECTION: 02-W5208-02-RP | |
| Mathewson & Mathewson | TE: 975.6 and 975.16 | 600.00 |

TITLE FEES

| | | |
|---------------------------------|------------------------------------|----------|
| HARLEM AVENUE | SECTION: 06-W3502-02-RP | |
| Chicago Title Insurance Company | Order #'s: 001455319 and 001454431 | 1,375.00 |

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MORENO, MOVED APPROVAL OF THE HIGHWAY BILLS. THE MOTION CARRIED.

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MALDONADO, MOVED TO ADJOURN. THE MOTION CARRIED AND THE MEETING WAS ADJOURNED.

Respectfully submitted,

COMMITTEE ON FINANCE

JOHN P. DALEY, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Moreno, moved that the Report of the Committee on Finance be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON INFORMATION TECHNOLOGY & AUTOMATION

February 25, 2009

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Beavers, Commissioners Butler, Daley, Goslin, Moreno, Peraica and Steele (7)

Absent: Vice Chairman Gorman and Commissioner Schneider (2)

Also Present: Antonio Hylton - Chief Information Officer, Bureau of Technology; Keyla Ware - Business Manager, Bureau of Technology; Anthony Del Santo - Acting Chief Technical Officer, Office of the Sheriff; James Beligratis - Assistant State's Attorney; and Richard Velázquez - Special Counsel to the President

Ladies and Gentlemen:

Your Committee on Information Technology & Automation of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, February 25, 2009 at the hour of 10:00 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

Commissioner Goslin, seconded by Commissioner Butler, moved Communication Nos. 298617, 298618, 298619 and 298815 for discussion. The motion carried unanimously.

298617 BUREAU OF TECHNOLOGY, by Antonio Hylton, Chief Information Officer, transmitting a Communication, dated October 28, 2008:

requesting authorization for the Purchasing Agent to enter into a contract with **CDW GOVERNMENT, INC.**, (CDW-G), Vernon Hills, Illinois, for the Active Directory assessment of the County's network structure currently supported by Microsoft Premier Software Services.

Reason: The Bureau of Technology's Active Directory network has grown significantly since it was first designed and is in need of a reassessment to allow stable growth for the future. An assessment will check for vulnerabilities and point out a weakness that can threaten our environment. Exposing vulnerabilities and correcting them before they cause a problem will reduce the overall support costs to maintain our network and provide a secure structure which will allow the County to grow. Microsoft Premier support services are only performed by Microsoft Corporation or its affiliates. CDW-G is an authorized affiliate of Microsoft Services. CDW-G has been appointed by Microsoft Services to perform the assessment.

Estimated Fiscal Impact: \$68,760.00. Contract period: November 1, 2008 through October 31, 2009. (009-260 Account). Requisition No. 80090027.

Approval of this item ~~would~~ did commit Fiscal Year 2008 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Referred to the Committee on Information Technology & Automation on 02/04/09.

Commissioner Daley, seconded by Commissioner Goslin, moved to change the word “would” to “did” in Communication No. 298617. The motion carried unanimously.

Commissioner Daley, seconded by Commissioner Goslin, moved to approve Communication No. 298617, as amended. The motion carried unanimously.

298618 BUREAU OF TECHNOLOGY, by Antonio Hylton, Chief Information Officer, transmitting a Communication, dated January 14, 2009:

requesting authorization for the Purchasing Agent to extend for four (4) months, Contract No. 07-43-349 with **CDW GOVERNMENT, INC.**, (CDW-G), Vernon Hills, Illinois, for countywide Microsoft software and software support services.

Reason: The extension is needed for the continued ability to purchase necessary Microsoft software during the evaluation and award period of a new countywide hardware/software Request for Proposal (RFP). The expiration date of the current contract was December 17, 2008. Approximately \$311,041.87 remains on this contract.

Estimated Fiscal Impact: None. Contract extension: December 18, 2008 through April 17, 2009.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Referred to the Committee on Information Technology & Automation on 02/04/09.

Commissioner Goslin, seconded by Commissioner Daley, moved the approval of Communication No. 298618. The motion carried unanimously.

298619 BUREAU OF TECHNOLOGY, by Antonio Hylton, Chief Information Officer, transmitting a Communication, dated January 14, 2009:

requesting authorization for the Purchasing Agent to extend for four (4) months, Contract No. 07-43-351 with **SYSTEM SOLUTIONS, INC.**, Northbrook, Illinois, for computer hardware, software, peripheral equipment and support services.

Reason: The extension is needed for the continued ability to purchase necessary computer hardware during the evaluation and award period of a new countywide hardware/software Request for Proposal (RFP). The expiration date of the current contract was December 15, 2008. Approximately \$589,032.00 remains on this contract.

Estimated Fiscal Impact: None. Contract extension: December 16, 2008 through April 15, 2009.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Referred to the Committee on Information Technology & Automation on 02/04/09.

Commissioner Goslin, seconded by Commissioner Daley, moved the approval of Communication No. 298619. The motion carried unanimously.

298815 BUREAU OF TECHNOLOGY, by Antonio Hylton, Chief Information Officer, transmitting a Communication, dated November 21, 2008:

requesting authorization for the Purchasing Agent to enter into a contract with **IRON MOUNTAIN**, Hanover Park, Illinois, for data protection and recovery services.

Reason: Iron Mountain is our current data disaster recovery vendor. We will be exploring on-network capability in replacement of physical cartridge delivery. Iron Mountain provides comprehensive records management and data protection solutions, along with the expertise and experience to address complex information challenges such as rising storage costs, litigation, regulatory compliance and disaster recovery. Iron Mountain has been chosen because of the unique feature of real time encryption key modification that is a feature not provided by any other competitor. The funds for this contract have been encumbered from the FY2008 Budget. The contract period corresponds with the fiscal year twelve (12) month period.

Estimated Fiscal Impact: \$90,720.00. Contract period: December 1, 2008 through November 30, 2009. (009-260 Account). Requisition No. 80090022.

Approval of this item ~~would~~ did commit Fiscal Year 2008 funds.

Referred to the Committee on Information Technology & Automation on 02/18/09.

James Beligratis, Assistant State's Attorney, agreed to report back to Chairman Beavers regarding whether Iron Mountain would be barred from entering into a contract with Cook County under Cook County Code Section 34-154 Contracts for consulting and auditing services.

Commissioner Goslin, seconded by Commissioner Daley, moved to change the word "would" to "did" in Communication No. 298815. The motion carried unanimously.

Commissioner Goslin, seconded by Commissioner Daley, moved the approval of Communication No. 298815, as amended. The motion carried unanimously.

Chairman Beavers asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code, Sec. 2-108(dd):

1. George Blakemore - Concerned Citizen

Commissioner Butler moved to adjourn the meeting, seconded by Commissioner Daley. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTIONS
WITH REGARD TO THE MATTERS NAMED HEREIN:**

| | |
|--------------------------|---------------------|
| Communication No. 298617 | Approved as Amended |
| Communication No. 298618 | Approved |
| Communication No. 298619 | Approved |
| Communication No. 298815 | Approved as Amended |

Respectfully submitted,

COMMITTEE ON INFORMATION TECHNOLOGY & AUTOMATION

ELIZABETH "LIZ" DOODY GORMAN, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Beavers, seconded by Commissioner Butler, moved that the Report of the Committee on Information Technology & Automation be approved and adopted. **The motion carried unanimously.**

OFFICE OF THE COUNTY AUDITOR

STATUS OF AUDIT RECOMMENDATIONS REPORT

Transmitting a Communication, dated February 12, 2009 from

LAURA A. BURMAN, C.P.A., Cook County Auditor

submitting our "Status of Audit Recommendations" report as of January 2009 with updates for the Cook County Assessor.

Commissioner Daley, seconded by Commissioner Silvestri, moved that the communication be received and filed. **The motion carried unanimously.**

DEPARTMENT OF BUILDING AND ZONING

WAIVER OF PERMIT FEES

Transmitting a Communication, dated February 10, 2009 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a No Fee Permit for the Forest Preserve District of Cook County for the Little Red Schoolhouse Nature Center sewage treatment and fire protection systems at 9800 Willow Springs Road, Willow Springs, Illinois, in Palos Township, County Board District #17.

JOURNAL OF PROCEEDINGS FOR MARCH 4, 2009

Permit #: 080638
Requested Waived Fee Amount 100%: \$17,454.29

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that all building and zoning permit fees be waived for public entities defined as county, township, municipality, municipal corporation, school district, forest preserve district, park district, fire protection district, sanitary district, library district and all other local governmental bodies.

Estimated Fiscal Impact: \$17,454.29.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the permit fees be waived. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 10, 2009 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a No Fee Permit for the Forest Preserve District of Cook County to replace furnaces and air conditioning systems at the new police headquarters at One Aloha Street, Westchester, Illinois, in Proviso Township, County Board District #16.

Permit #: 081814
Requested Waived Fee Amount 100%: \$650.00

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that all building and zoning permit fees be waived for public entities defined as county, township, municipality, municipal corporation, school district, forest preserve district, park district, fire protection district, sanitary district, library district and all other local governmental bodies.

Estimated Fiscal Impact: \$650.00.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the permit fees be waived. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 10, 2009 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a No Fee Permit for the Chicago Zoological Society/Brookfield Zoo for the Tropic World fire suppression system at 3300 South Golf Road, Brookfield, Illinois, in Proviso Township, County Board District #16.

JOURNAL OF PROCEEDINGS FOR MARCH 4, 2009

Permit #: 081268
Requested Waived Fee Amount 100%: \$3,127.50

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that all building and zoning permit fees be waived for public entities defined as county, township, municipality, municipal corporation, school district, forest preserve district, park district, fire protection district, sanitary district, library district and all other local governmental bodies.

Estimated Fiscal Impact: \$3,127.50.

| | |
|---|--------------------|
| 100% WAIVED REQUESTS TO BE APPROVED: | \$21,231.79 |
| 100% WAIVED REQUESTS APPROVED FISCAL YEAR 2009 TO PRESENT: | \$71,545.49 |

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the permit fees be waived. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 10, 2009 from

DONALD H. WLODARSKI, Commissioner, Department of Building and Zoning

respectfully request the granting of a 10% Reduced Fee Permit for First Baptist Church of Sauk Village for the church facility and parsonage at 22132 Torrence Avenue, Sauk Village, Illinois in Bloom Township, County Board District #6.

Permit #: 081415
Total Fee Amount: \$13,327.60
Requested Waived Fee Amount 90%: \$11,994.84
Amount Due 10%: \$1,332.76

This request is pursuant to the County Board's adoption of Ordinance No. 91-O-45 on September 16, 1991 that valid not-for-profit organizations be required to pay ten percent (10%) of the standard permit fee as established by Ordinance.

Estimated Fiscal Impact: \$11,994.84.

| | |
|--|--------------------|
| 90% WAIVED REQUESTS TO BE APPROVED: | \$11,994.84 |
| 90% WAIVED REQUESTS APPROVED FISCAL YEAR 2009 TO PRESENT: | \$ 7,219.47 |

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the permit fees be waived. **The motion carried unanimously.**

OFFICE OF THE COUNTY COMPTROLLER

RESOLUTION

Transmitting a Communication, dated February 24, 2009 from

DONNA L. DUNNINGS, Chief Financial Officer, Bureau of Finance
and
JOHN R. MORALES, CPA, County Comptroller

The following Resolution is transmitted herewith for your consideration is a Resolution providing for the transfer of working cash funds for the Fiscal Year 2009.

The Fiscal Year 2009 Budget Resolution, along with this resolution, will authorize the maintenance of an estimated \$237.5 million within the County's consolidated working cash fund, along with the ability to utilize working cash funds while awaiting the distribution of the first and second installments of Cook County real estate tax collections. The working cash fund will be repaid throughout Fiscal Year 2009 and in full by November 30, 2009. Please note that the above \$237.5 million in working cash funds includes the repayment of the \$28.9 million in working cash funds previously authorized by the Cook County Board of Commissioners on November 25, 2008, to pay Self-Insurance claims and other outstanding obligations.

Your approval of this Resolution is recommended.

**09-R-121
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

A RESOLUTION providing for a Working Cash Fund of the County of Cook and for transfers therefrom for the fiscal year 2009

PREAMBLES

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that "a County which has a Chief Executive Officer elected by the electors of the County...(is) a Home Rule Unit" and The County of Cook, Illinois (the "County"), has a Chief Executive Officer elected by the electors of the County and is therefore a Home Rule Unit and may, under the powers granted by said Section 6(a) of Article VII of said Constitution of 1970, exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the County maintains the Corporate, Public Safety, Health Facilities and Election Funds as independent, self-balancing funds for accounting purposes; and

WHEREAS, the County has previously established separate Working Cash Funds for Corporate, Public Safety, Health Facilities and Election Fund purposes; and

WHEREAS, all taxes and other receipts in support of Corporate, Public Safety, Health Facilities and Election Fund purposes are paid into a single account, the County's "A" account; and

WHEREAS, the County has therefore determined that it is possible to consolidate its Working Cash Funds while maintaining the accounting integrity of the Corporate, Public Safety, Health Facilities and Election Funds; and

WHEREAS, the County has determined it to be more efficient and to require less borrowing to manage its cash on the basis of a consolidated Working Cash Fund; and

WHEREAS, it becomes necessary from time to time to borrow from a Working Cash Fund to meet ordinary and contingent expenses of the Corporate, Public Safety, Health Facilities and Election Funds of the County for cash flow needs in anticipation of settlement of various accounts receivable, including property taxes; and

WHEREAS, it shall be the policy of Cook County to repay all loans to the Corporate, Public Safety, Health Facilities and Election Funds from any Working Cash Fund from any and all available funds prior to the end of the fiscal year during which the loan or loans were made; and

WHEREAS, the Annual Appropriation Bill for Fiscal Year 2009 for Cook County, Section 18, establishes a limit of \$237.5 million for the Working Cash Funds.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Board of Commissioners of the County of Cook, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true, and correct and does hereby incorporate them into this Resolution by this reference.

Section 2. Authorization. There is hereby created a single, consolidated Working Cash Fund in the amount of \$237.5 million to be used for the purposes described above.

Section 3. Transfer of Funds by the Treasurer. The Treasurer of Cook County is hereby directed to consolidate all balances in the County's various Working Cash Funds, and to make available all remaining sums, not to exceed \$237.5 million, for 2009 cash flow borrowing needs to be transferred from time to time.

Section 4. Transfer of Funds by the Comptroller. The Comptroller is hereby directed to transfer to the Treasurer from any and all available funds, the full aggregate amount borrowed there from prior to November 30, 2009.

Section 5. Filing of the Resolution. The Board hereby directs the Clerk of the County to file a certified copy of this Resolution with the Treasurer of the County and the Treasurer is hereby directed to cause the transfer of moneys as provided by, and for the purpose set forth, in this Resolution.

Section 6. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

Section 8. Constitutional Power of the County. This Resolution is adopted pursuant to the constitutional powers of the County as a home rule unit notwithstanding any provisions of the Illinois Revised Statutes to the contrary.

Section 9. Effective Date. The Board finds and determines that this Resolution shall be in full force and effect for the fiscal year 2009, December 1, 2008 through November 30, 2009.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Sims, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

Note: This item also appears under the Bureau of Finance, Office of the Chief Financial Officer in this Journal of Proceedings, page 889.

OFFICE OF THE COUNTY CLERK

JOURNAL OF PROCEEDINGS

**JOURNAL
February 4, 2009**

DAVID ORR, Cook County Clerk presented in printed form a record of the Journal of the Proceedings of the meeting held on Wednesday, February 4, 2009.

Commissioner Moreno, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Rules & Administration. (Comm. No. 299112). **The motion carried unanimously.**

SHERIFF'S DEPARTMENT OF FISCAL ADMINISTRATION AND SUPPORT SERVICES

PROPOSED CONTRACT

Transmitting a Communication, dated January 12, 2009 from

THOMAS J. DART, Sheriff of Cook County

by

ANTHONY J. DEL SANTO, Acting Chief Technical Officer, Sheriff's Office

requesting authorization for the Purchasing Agent to enter into a contract with Microsoft Corporation, Dallas, Texas, and its affiliate CDW Government for professional services and related software to assist the Sheriff's Information Technology Department with the implementation of Microsoft Exchange email system, design and implementation of Microsoft Server Active Directory and Microsoft Premier Support and Consulting Services.

JOURNAL OF PROCEEDINGS FOR MARCH 4, 2009

Reason: The vendor is the sole provider with proprietary access to the various Microsoft product teams and software developers needed to assist with the design and implementation. This project is an extension of the new Jail Management System in that many of the functions of the Jail Management System rely on email and active directory. Microsoft Premier support services are only performed by Microsoft Corporation or its affiliates. CDW Government has been appointed by Microsoft Services to provide the necessary software for this project.

Estimated Fiscal Impact: \$2,377,751.26 (2009 - \$1,011,514.42; 2010 - \$683,118.42, and 2011 - \$683,118.42). Contract period: April 1, 2009 through March 31, 2011. 715/239-579 Account. Requisition No. 92390016.

~~Sufficient funds have been appropriated to cover this request.~~

Approval of this item requires the issuance of general obligation Capital Improvement Bonds.

The Chief Information Officer has reviewed this item and concurs with this recommendation.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Moreno, seconded by Commissioner Steele, moved that the communication be received and filed, as amended.

Commissioner Silvestri, seconded by Commissioner Gorman, moved that the communication be deferred, as amended.

Following discussion, Commissioner Beavers, seconded by Commissioner Steele, moved to lay the motion to defer on the table. Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON MOTION TO
LAY THE MOTION TO DEFER ON THE TABLE**

Yeas: Beavers, Butler, Claypool, Daley, Moreno, Murphy, Schneider, Sims, Steele, Suffredin - 10.

Nays: Gorman, Goslin, Maldonado, Peraica, Silvestri - 5.

Absent: Collins, Quigley - 2.

The motion to lay the motion to defer on the table CARRIED.

Commissioner Moreno, seconded by Commissioner Steele, moved that the communication be received and filed, as amended. Commissioner Butler called a Roll Call, the vote of yeas and nays being as follows:

ROLL CALL ON MOTION TO RECEIVE AND FILE AS AMENDED

Yeas: Claypool, Daley, Gorman, Goslin, Maldonado, Moreno, Murphy, Peraica, Schneider, Silvestri, Sims, Steele, Suffredin - 13.

Nays: Butler - 1.

Present: Beavers - 1.

Absent: Collins, Quigley - 2.

The motion to receive and file, as amended CARRIED.

CONTRACT ADDENDUM

Transmitting a Communication, dated February 4, 2009 from

THOMAS J. DART, Sheriff of Cook County

by

ALEXIS A. HERRERA, Chief Financial Officer

requesting authorization for the Purchasing Agent to increase by \$400,000.00 and extend for thirty-two (32) days, Contract No. 04-54-618 Rebid/Revised with Aramark Correctional Services, Inc., Atlanta, Georgia, for food service.

| | |
|--------------------------------------|-------------------|
| Board approved amount 11-03-04: | \$42,015,750.00 |
| Previous increase approved 01-04-06: | 199,290.00 |
| Previous increase approved 11-14-06: | 265,720.00 |
| Previous increase approved 03-18-08: | 399,672.00 |
| This increase requested: | <u>400,000.00</u> |
| Adjusted amount: | \$43,280,432.00 |

Reason: The extension will provide for the continuation of food services and allow sufficient time for the bid, evaluation and award of a new contract for which bids are scheduled to opened on March 10, 2009. Approximately \$850,000.00 remains on this contract. The expiration date of the current contract is March 29, 2009.

Estimated Fiscal Impact: \$400,000.00. Contract extension: March 30, 2009 through April 30, 2009. (239-223 Account).

Approval of this item would commit Fiscal Year 2009 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Moreno, seconded by Commissioner Steele, moved that the County Purchasing Agent be authorized to increase and extend the requested contract. **The motion carried.**

Commissioners Maldonado, Peraica and Suffredin voted "no".

BUREAU OF FINANCE – OFFICE OF THE CHIEF FINANCIAL OFFICER

CONTRACT ADDENDUM

Transmitting a Communication, dated February 25, 2009 from

DONNA L. DUNNINGS, Chief Financial Officer, Bureau of Finance

requesting authorization for the Purchasing Agent to increase by \$1,470,000.00, Contract No. 08-41-127 with Deloitte & Touche, Chicago, Illinois, to audit the County's annual financial statements included in the County's Comprehensive Annual Financial Report (CAFR); the financial statements included in the Health Facilities Report and the Clerk of the Circuit Court Agency Fund, and to audit the schedule of federal financial assistance included in the Single Audit Report. The contract would be for the County's annual audit for fiscal years 2007 through 2009, subject to an annual review and at the sole option of the County Board, with the possibility of renewal for subsequent years.

| | |
|---------------------------------|---------------------|
| Board approved amount 12-18-07: | \$1,400,000.00 |
| Increase requested: | <u>1,470,000.00</u> |
| Adjusted amount: | \$2,870,000.00 |

Reason: The contract with Deloitte & Touche for professional audit services was approved by the Cook County Board of Commissioners on December 18, 2007 for audit work for fiscal years 2007 through 2009. Only fees for fiscal year 2007's audit were authorized at the December 18, 2007 Board Meeting, therefore this increase is requested for the FY2008 audit. The expiration date of the current contract is December 31, 2010.

Estimated Fiscal Impact: \$1,470,000.00 [\$525,000.00 - (490-265 Account); \$682,500.00 - (499-265 Account); and \$262,500.00 - (899-265 Account)].

Approval of this item would commit Fiscal Year 2009 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried.**

Commissioner Peraica voted "no".

RESOLUTION

Transmitting a Communication, dated February 24, 2009 from

DONNA L. DUNNINGS, Chief Financial Officer, Bureau of Finance
and
JOHN R. MORALES, CPA, County Comptroller

The following Resolution is transmitted herewith for your consideration is a Resolution providing for the transfer of working cash funds for the Fiscal Year 2009.

The Fiscal Year 2009 Budget Resolution, along with this resolution, will authorize the maintenance of an estimated \$237.5 million within the County's consolidated working cash fund, along with the ability to utilize working cash funds while awaiting the distribution of the first and second installments of Cook County real estate tax collections. The working cash fund will be repaid throughout Fiscal Year 2009 and in full by November 30, 2009. Please note that the above \$237.5 million in working cash funds includes the repayment of the \$28.9 million in working cash funds previously authorized by the Cook County Board of Commissioners on November 25, 2008, to pay Self-Insurance claims and other outstanding obligations.

Your approval of this Resolution is recommended.

**09-R-121
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

A RESOLUTION providing for a Working Cash Fund of the County of Cook and for transfers therefrom for the fiscal year 2009

PREAMBLES

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that "a County which has a Chief Executive Officer elected by the electors of the County...(is) a Home Rule Unit" and The County of Cook, Illinois (the "County"), has a Chief Executive Officer elected by the electors of the County and is therefore a Home Rule Unit and may, under the powers granted by said Section 6(a) of Article VII of said Constitution of 1970, exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the County maintains the Corporate, Public Safety, Health Facilities and Election Funds as independent, self-balancing funds for accounting purposes; and

WHEREAS, the County has previously established separate Working Cash Funds for Corporate, Public Safety, Health Facilities and Election Fund purposes; and

WHEREAS, all taxes and other receipts in support of Corporate, Public Safety, Health Facilities and Election Fund purposes are paid into a single account, the County's "A" account; and

WHEREAS, the County has therefore determined that it is possible to consolidate its Working Cash Funds while maintaining the accounting integrity of the Corporate, Public Safety, Health Facilities and Election Funds; and

WHEREAS, the County has determined it to be more efficient and to require less borrowing to manage its cash on the basis of a consolidated Working Cash Fund; and

WHEREAS, it becomes necessary from time to time to borrow from a Working Cash Fund to meet ordinary and contingent expenses of the Corporate, Public Safety, Health Facilities and Election Funds of the County for cash flow needs in anticipation of settlement of various accounts receivable, including property taxes; and

WHEREAS, it shall be the policy of Cook County to repay all loans to the Corporate, Public Safety, Health Facilities and Election Funds from any Working Cash Fund from any and all available funds prior to the end of the fiscal year during which the loan or loans were made; and

WHEREAS, the Annual Appropriation Bill for Fiscal Year 2009 for Cook County, Section 18, establishes a limit of \$237.5 million for the Working Cash Funds.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Board of Commissioners of the County of Cook, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true, and correct and does hereby incorporate them into this Resolution by this reference.

Section 2. Authorization. There is hereby created a single, consolidated Working Cash Fund in the amount of \$237.5 million to be used for the purposes described above.

Section 3. Transfer of Funds by the Treasurer. The Treasurer of Cook County is hereby directed to consolidate all balances in the County's various Working Cash Funds, and to make available all remaining sums, not to exceed \$237.5 million, for 2009 cash flow borrowing needs to be transferred from time to time.

Section 4. Transfer of Funds by the Comptroller. The Comptroller is hereby directed to transfer to the Treasurer from any and all available funds, the full aggregate amount borrowed there from prior to November 30, 2009.

Section 5. Filing of the Resolution. The Board hereby directs the Clerk of the County to file a certified copy of this Resolution with the Treasurer of the County and the Treasurer is hereby directed to cause the transfer of moneys as provided by, and for the purpose set forth, in this Resolution.

Section 6. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

Section 8. Constitutional Power of the County. This Resolution is adopted pursuant to the constitutional powers of the County as a home rule unit notwithstanding any provisions of the Illinois Revised Statutes to the contrary.

Section 9. Effective Date. The Board finds and determines that this Resolution shall be in full force and effect for the fiscal year 2009, December 1, 2008 through November 30, 2009.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Sims, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

Note: This item also appears under the Bureau of Finance, Office of the County Comptroller in this Journal of Proceedings, page 884.

HIGHWAY DEPARTMENT

PERMISSION TO ADVERTISE

Transmitting a Communication, dated February 10, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Permission to Advertise
 Maintenance District #1, (Schaumburg)
 Maintenance District #2, (Des Plaines)
 Maintenance District #3, (La Grange Park)
 Maintenance District #4, (Orland Park)
 Maintenance District #5, (Blue Island)

The following projects are presented to your Honorable Body for adoption and authorization for advertising for bids after all appropriate approvals of the plans, specifications, proposals and the estimates have been obtained for receipt of Contractor's bids:

LOCATION

SECTION NUMBER

| | |
|---|----------------|
| Purchase of hot patch materials Maintenance Districts #1 and 2 | 09-HBITN-03-GM |
| Purchase of hot patch materials Maintenance Districts #3, 4 and 5 | 09-HBITS-03-GM |
| Purchase of cold patch materials Maintenance Districts #1 and 2 | 09-CBITN-03-GM |
| Purchase of cold patch materials Maintenance Districts #3, 4 and 5 | 09-CBITS-03-GM |

I respectfully request that your Honorable Body concur in this recommendation (600-600 Account).

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

CONTRACT ADDENDUM

Transmitting a Communication, dated January 27, 2009 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

requesting authorization for the Purchasing Agent to increase by \$250,000.00, Contract No. 07-53-176 Rebid (Part III) with Texor Petroleum Company, Riverside, Illinois, for the purchase of diesel and unleaded fuel.

| | |
|---------------------------------|-------------------|
| Board approved amount 07-10-07: | \$1,061,568.00 |
| Increase requested: | <u>250,000.00</u> |
| Adjusted amount: | \$1,311,568.00 |

Reason: This increase is necessary to buy diesel and unleaded fuel for all Highway Department vehicles. Due to the high gas prices over the last summer, the Highway Department has exceeded the awarded dollar amount of the contract. The expiration date of the current contract is July 9, 2009.

Estimated Fiscal Impact: \$250,000.00. (500-445 Account).

Approval of this item would commit Fiscal Year 2009 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried unanimously.**

PROPOSED CHANGES IN PLANS AND EXTRA WORK

Transmitting a Communication, dated February 3, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Cities of Blue Island and Chicago, and the Villages of Alsip and Merionette Park in County Board Districts #5, 6 and 11.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|------------------|--|--------------------------|---------------------------|
| 2 | 88-B7430-02-RP 119th Street, Crawford Avenue to Western Avenue | Adjustment of quantities | \$26,704.65 (Addition) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with more Class D patches, Type IV (9 inch), Temporary Butt Joints and Hot Mix Asphalt Binder Course were required for proper construction of the project.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299103). **The motion carried unanimously.**

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Transmitting a Communication, dated February 6, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Cities of Country Club Hills and Oak Forest, the Village of Tinley Park and unincorporated Cook County in County Board Districts #5 and 6.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-----------|---|--------------------------|----------------------------|
| 7 | 07-B6126-02-RS Group 2-2007: Central Avenue, Vollmer Road to 167th Street; and 175th Street, Ridgeland Avenue to Cicero Avenue | Adjustment of quantities | \$74,923.50 (Deduction) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with large savings due to reduced amounts of earthwork and aggregate (prime coat) required and the elimination of the contract extra work items.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299104). **The motion carried unanimously.**

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Transmitting a Communication, dated February 6, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Village of Northbrook in County Board District #14.

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| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-----------|--|---|---------------------------|
| 2 | 04-A7322-03-FP Group 1-2008: Walters Avenue, Waukegan Road to Lee Road; and Lee Road, Walters Avenue to Dundee Road | New items - Water main and drainage related work | \$19,813.07 (Addition) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed.

New items were added for water main and drainage related work not provided in the contract plan, but required for proper construction of the project.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299105). **The motion carried unanimously.**

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Transmitting a Communication, dated February 9, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the City of Chicago and the Village of Park Ridge in County Board Districts #8, 9 and 12.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-------------|---|--------------------------------|-----------------------------|
| 5 and final | 06-B1429-02-RS Group 2-2006: Lawrence Avenue, Central Park Avenue to Ashland Avenue; and Ozanam Avenue (Canfield Road), Devon Avenue to Northwest Highway | Final adjustment of quantities | \$350,000.00 (Deduction) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with large savings due to the elimination of the contract extra work items and the deletion of sidewalk removal and replacement work.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299106). **The motion carried unanimously.**

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Transmitting a Communication, dated February 9, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Village of Orland Park and unincorporated Cook County in County Board District #17.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-----------|--|---|-----------------------------|
| 4 | 05-B5620-04-FP 153rd Street, Wolf Road to 100th Avenue | Adjustment of quantities and new items | \$147,654.44 (Deduction) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with a substantial savings in temporary by-pass pavement, drainage and erosion control related items and traffic control devices due in large part to the construction staging of project.

New items were added for manhole modifications due to required profile revisions and drainage work necessary to avoid conflicts.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299107). **The motion carried unanimously.**

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Transmitting a Communication, dated February 6, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Villages of Brookfield, Hodgkins and LaGrange and the Forest Preserve District of Cook County in County Board District #16.

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| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-------------|--|--------------------------------|----------------------------|
| 5 and final | 02-B7021-03-CH 67th Street at East Avenue | Final adjustment of quantities | \$14,340.00 (Deduction) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual final field quantities of work performed with a savings due to the elimination of the contract extra work item.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299108). **The motion carried unanimously.**

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Transmitting a Communication, dated February 6, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in the Villages of Franklin Park and River Grove in County Board Districts #9 and 16.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-----------|--|---|---------------------------|
| 2 | 07-B1922-02-RP Fullerton Avenue, Indiana Harbor Belt Railroad to Des Plaines River Road | Adjustment of quantities and new items | \$92,932.72 (Addition) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with additional concrete driveway pavement and sidewalks, as requested and to be partially reimbursed by the Villages of River Grove and Franklin Park, and complete elimination of leveling binder.

New items were required for work related to chain link fence and gates, trees requested by the Village of River Grove, railroad flagging services and non-special waste disposal.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299109). **The motion carried unanimously.**

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Transmitting a Communication, dated February 9, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Re: Change in Plans and Extra Work

I herewith present the following recommendation for change in plans and extra work involved on this improvement in unincorporated Palatine Township in County Board District #14.

| AUTH. NO. | SECTION | DESCRIPTION | AMOUNT |
|-------------|---|--|-----------------------------|
| 1 and final | 06-25148-90-RS Palatine Township - 2007 Various locations | Final adjustment of quantities and a new item | \$163,072.40 (Deduction) |

The quantities as shown on the contract documents were estimated for bidding purposes only. This change represents the difference between the estimated quantities and actual field quantities of work performed with savings primarily due to eliminating leveling binder by milling the pavement to its desired crown as requested by the Township.

A new item was added for the pipe culverts required to complete the project.

I respectfully recommend approval by your Honorable Body.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299110). **The motion carried unanimously.**

CONTRACT AND BOND

Transmitting a Communication, dated March 4, 2009 from

RUPERT F. GRAHAM, JR., P.E., Superintendent of Highways

The Contractors have properly executed the following Contract and Bond.

| <u>ITEM</u> | <u>SECTION</u> | <u>BIDDER</u> |
|---|----------------|---------------------------|
| 1. Potter Road, Dempster Street to Evanston-Elgin (Golf) Road | 85-W8140-01-RP | Martam Construction, Inc. |

Total Contract Amount: \$11,175,672.20. Date Advertised: December 3, 2008. Date of Bid Opening: December 18, 2008. Date of Board Award: February 4, 2009.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the contract and bond be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

BUREAU OF CONSTRUCTION'S PROGRESS REPORT

Transmitting a Communication, dated February 5, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Submitting the Bureau of Construction's Progress Report for the month ending January 31, 2009.

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communication be referred to the Committee on Roads & Bridges. (Comm. No. 299111). **The motion carried unanimously.**

RESOLUTIONS

Transmitting a Communication, dated January 30, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Wetland Credit Agreement between the County of Cook and Towpath Joint Venture
County shall purchase 0.46 acres of wetland credits, etc.
Dempster Street to Evanston-Elgin (Golf) Road
in the City of Des Plaines in County Board District #17
Section: 85-W8140-01-RP
Centerline Mileage: 1.00 miles
Fiscal Impact: \$43,700.00 from the Motor Fuel Tax Fund (600-600 Account)

**09-R-122
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

RESOLVED, by the Members of the Board of Commissioners of Cook County, Illinois, on behalf of the County of Cook, to authorize and direct its President to execute, by original signature or his authorized signature stamp, five (5) original copies of a Wetland Credit Agreement with Towpath Joint Venture, an Illinois general partnership by the partners thereof, EcoLogic Planning, Inc. and Encorp, Ltd., both Illinois Corporations, said Agreement submitted, wherein the County of Cook shall purchase 0.46 acres of certified wetland credits in the Des Plaines-Towpath Wetland Mitigation Bank for the purchase price of \$43,700.00; said credits required as a condition to the issuance of a permit from the U.S. Army Corps of Engineers (USACOE Project #LRC-2007-745) to compensate for wetland impacts resulting from Cook County's Improvement along Potter Road from Dempster Street to Golf Road, Section: 85-W8140-01-RP; and the Highway Department is authorized and directed to return two (2) approved copies of this Resolution with executed copies of the Wetland Credit Agreement to Towpath Joint Venture.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 19, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

167th Street,

Will/Cook County Line to 96th Avenue

in the Villages of Orland Park, Orland Hills, unincorporated Cook County and the Forest Preserve District of Cook County in County Board District #17

Section: 01-B5919-03-RS

The contract price of this project was \$3,936,888.90 and final cost is \$3,583,657.78. The decrease was due to B.C. Nos. 1 through 6, approved by the County Board as the job progressed, and B.C. No. 7, the final adjustment of quantities.

09-R-123

RESOLUTION

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

APPROVAL RESOLUTION

WHEREAS, the highway improvement of 167th Street from Will/Cook County Line to 96th Avenue (La Grange Road - U.S. 45) with Section: 01-B5919-03-RS includes removal of the existing bituminous surface (3.75 inch) and widening to three twelve-foot (3-12') lanes between Wolf Road and 104th Avenue with Aggregate Subgrade (12 inch), Bituminous Base Course, Superpave, IL-19, N50 (4 inch), Bituminous Concrete Binder Course, Superpave, IL-19, N50 (4 inch), resurfacing the entire area with Bituminous Concrete Binder Course, Superpave, IL-19, N70 (2 1/4 inch), Bituminous Concrete Surface Course, Superpave, Mix "D", IL-12.5 or 9.5, N70 (1 3/4), installing sidewalk ramps, adding turning lanes on 108th Avenue and 104th Avenue, culvert additions and adjustments, installing traffic signals at 108th Avenue and 104th Avenue, shoulder replacement, traffic protection and miscellaneous appurtenances, has been regularly awarded by the Board of County Commissioners for construction as a County Highway improvement; and

WHEREAS, the aforesaid highway improvement has been satisfactorily completed in accordance with the provisions and stipulations of aforesaid contract, now, therefore,

BE IT RESOLVED, that the work and construction of aforesaid contract be, and hereby, is approved.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Approval Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 18, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

138th Street at Halsted Street
in the Village of Riverdale in County Board District #5
Section: 04-B5332-02-CH

The contract price of this project was \$684,146.08 and final cost is \$746,771.62. The increase was due to B.C. Nos. 1 through 4, approved by the County Board as the job progressed, and B.C. No. 5, the final adjustment of quantities.

**09-R-124
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

APPROVAL RESOLUTION

WHEREAS, the highway improvement known as 138th Street at Halsted Street, Section: 04-B5332-02-CH, the work consisting of existing concrete median removal and replacement with Class B Patches in the area of existing concrete pavement and Class D Patches in the area of existing bituminous pavement to allow for channelization of the intersection, also included was work consisting of pavement patching with Class B Patches along 138th Street from Ashland Avenue to Halsted Street and milling the existing bituminous surface east of Halsted Street and resurfacing the entire bituminous pavement with Bituminous Concrete Surface Course, Superpave and Bituminous Concrete Binder Course, Superpave along with drainage additions and adjustments, signing, striping, traffic signal installation, other related road work and work at 139th Street and Division Street consisting of pipe culvert removal and replacement, steel plate beam guardrail removal and replacement, stone riprap, silt fence and other related road work and miscellaneous appurtenances, has been regularly awarded by the Board of County Commissioners for construction as a County Highway improvement; and

WHEREAS, the aforesaid highway improvement has been satisfactorily completed in accordance with the provisions and stipulations of aforesaid contract, now, therefore,

BE IT RESOLVED, that the work and construction of aforesaid contract be, and hereby, is approved.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Approval Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 19, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Wolf Road,
143rd Street to 123rd Street
in the Villages of Orland Park and Palos Park in County Board District #17
Section: 96-W2312-02-FP

The contract price of this project was \$3,319,350.30 and final cost is \$2,958,099.70. The decrease was due to B.C. No. 1, approved by the County Board as the job progressed, and B.C. No. 2, the final adjustment of quantities.

**09-R-125
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

APPROVAL RESOLUTION

WHEREAS, the highway improvement known as Wolf Road from 143rd Street to 123rd Street with Section: 96-W2312-02-FP with work improvement to Wolf Road from 143rd Street to 139th Street consists of removal of the existing two lane bituminous pavement and reconstruction to a three lane (36 feet) wide pavement with 3 foot bituminous shoulder including a striped median/left turn lane, with Bituminous Concrete Surface, Binder and Base Courses and Aggregate Subgrade for the new pavement and at Wolf Road from 139th Street to 123rd Street consists of milling the existing bituminous surface, base patching with Class D Patches and resurfacing with Bituminous Concrete Surface Course and Polymerized Leveling Binder (Machine Method) and also included are drainage additions and adjustments, removal and replacement of the existing culvert at Sta. 28+35 with a precast concrete box culvert, 8'x6', water main relocation, construction of a bituminous bicycle path, temporary traffic signal installation at 143rd Street, traffic signal modernization at 143rd Street, landscaping, pavement signing and striping, traffic control and other related road work has been regularly awarded by the Board of County Commissioners for construction as a County Highway improvement; and

WHEREAS, the aforesaid highway improvement has been satisfactorily completed in accordance with the provisions and stipulations of aforesaid contract, now, therefore,

BE IT RESOLVED, that the work and construction of aforesaid contract be, and hereby, is approved.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Approval Resolution be approved and adopted. **The motion carried unanimously.**

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Transmitting a Communication, dated February 10, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Highway Maintenance Resolution
Purchase of Hot Patch Materials
Maintenance District #1, (Schaumburg)
Maintenance District #2, (Des Plaines)
in County Board Districts #9, 13, 14, 15 and 17
Section: 09-HBITN-03-GM
Fiscal Impact: \$90,000.00 from the Motor Fuel Tax Fund (600-600 Account)

**09-R-126
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

COUNTY MAINTENANCE RESOLUTION

RESOLVED, by the County Board of Commissioners, Cook County, that \$90,000.00 is appropriated from the Motor Fuel Tax allotment for the purchase of hot patch material for use on various County Highways and meeting the requirements of the Illinois Highway Code.

| | | |
|----|---|------------------|
| 1) | Bituminous Hot Patch Materials, 1,500 tons (to be prepared and furnished to northern County Maintenance forces in Maintenance Districts #1 and 2) | \$69,000.00 |
| 2) | Contingencies | <u>21,000.00</u> |
| | Total | \$90,000.00 |

and be it further

RESOLVED, that the above designated hot patch materials be purchased under the provisions of said Illinois Highway Code for a period of one year from the date of award of the contract identified as Section: 09-HBITN-03-GM, and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two (2) certified copies of this Resolution to the District Office of the Department of Transportation.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 10, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Highway Maintenance Resolution
Purchase of Hot Patch Materials
Maintenance District #3, (La Grange Park)
Maintenance District #4, (Orland Park)
Maintenance District #5, (Blue Island)
in County Board Districts #1, 4, 5, 6, 9, 11, 16 and 17
Section: 09-HBITS-03-GM
Fiscal Impact: \$90,000.00 from the Motor Fuel Tax Fund (600-600 Account)

**09-R-127
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

COUNTY MAINTENANCE RESOLUTION

RESOLVED, by the County Board of Commissioners, Cook County, that \$90,000.00 is appropriated from the Motor Fuel Tax allotment for the purchase of hot patch material for use on various County Highways and meeting the requirements of the Illinois Highway Code.

| | | |
|----|--|------------------|
| 1) | Bituminous Hot Patch Materials, 1,500 tons (to be prepared and furnished to southern and central County Maintenance forces in Maintenance Districts #3, 4 and 5) | \$73,500.00 |
| 2) | Contingencies | <u>16,500.00</u> |
| | Total | \$90,000.00 |

and be it further

RESOLVED, that the above designated hot patch materials be purchased under the provisions of said Illinois Highway Code for a period of one year from the date of award of the contract identified as Section: 09-HBITS-03-GM, and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two (2) certified copies of this Resolution to the District Office of the Department of Transportation.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

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Transmitting a Communication, dated February 10, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Highway Maintenance Resolution
Purchase of Cold Patch Materials
Maintenance District #1, (Schaumburg)
Maintenance District #2, (Des Plaines)
in County Board Districts #9, 13, 14, 15 and 17
Section: 09-CBITN-03-GM
Fiscal Impact: \$50,000.00 from the Motor Fuel Tax Fund (600-600 Account)

**09-R-128
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

COUNTY MAINTENANCE RESOLUTION

RESOLVED, by the County Board of Commissioners, Cook County, that \$50,000.00 is appropriated from the Motor Fuel Tax allotment for the purchase of cold patch material for use on various County Highways and meeting the requirements of the Illinois Highway Code.

| | | |
|----|--|-----------------|
| 1) | Bituminous Cold Patch Materials, 400 tons (to be prepared and furnished to northern County Maintenance forces in Maintenance Districts #1 and 2) | \$40,800.00 |
| 2) | Contingencies | <u>9,200.00</u> |
| | Total | \$50,000.00 |

and be it further

RESOLVED, that the above designated cold patch materials be purchased under the provisions of said Illinois Highway Code for a period of one year from the date of award of the contract identified as Section: 09-CBITN-03-GM, and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two (2) certified copies of this Resolution to the District Office of the Department of Transportation.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated February 10, 2009 from

RUPERT F. GRAHAM JR., P.E., Superintendent of Highways

Motor Fuel Tax Project
Highway Maintenance Resolution
Purchase of Cold Patch Materials
Maintenance District #3, (La Grange Park)
Maintenance District #4, (Orland Park)
Maintenance District #5, (Blue Island)
in County Board Districts #1, 4, 5, 6, 9, 11, 16 and 17
Section: 09-CBITS-03-GM
Fiscal Impact: \$60,000.00 from the Motor Fuel Tax Fund (600-600 Account)

**09-R-129
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

COUNTY MAINTENANCE RESOLUTION

RESOLVED, by the County Board of Commissioners, Cook County, that \$60,000.00 is appropriated from the Motor Fuel Tax allotment for the purchase of cold patch material for use on various County Highways and meeting the requirements of the Illinois Highway Code.

- | | | |
|----|---|-------------|
| 1) | Bituminous Cold Patch Materials, 400 tons | \$50,400.00 |
| | (to be prepared and furnished to southern and central County Maintenance forces in Maintenance Districts #3, 4 and 5) | |

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| | | |
|------------------|-------|-----------------|
| 2) Contingencies | | <u>9,600.00</u> |
| | Total | \$60,000.00 |

and be it further

RESOLVED, that the above designated hot patch materials be purchased under the provisions of said Illinois Highway Code for a period of one year from the date of award of the contract identified as Section: 09-CBITS-03-GM, and be it further

RESOLVED, that the County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two (2) certified copies of this Resolution to the District Office of the Department of Transportation.

March 4, 2009

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the Maintenance Resolution be approved and adopted. **The motion carried unanimously.**

DEPARTMENT OF OFFICE TECHNOLOGY

CONTRACT

Transmitting a Communication, dated February 10, 2009 from

ANTONIO HYLTON, Chief Information Officer, Bureau of Technology

requesting authorization for the Purchasing Agent to enter into a contract with Merrick & Company, Aurora, Colorado, for aerial imagery for the Counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will. The seven county projects for aerial imagery includes ground control, aerial imagery (including aerotriangulation), orthorectified imagery, DEM, geodatabase design, metadata, and project management. This time-sensitive project is performed in the spring under "leaf-off" conditions.

Reason: A regional Request for Proposal (RFP) was jointly developed by the Counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will (collectively "the regional GIS work group") to select a company to perform aerial imagery for data acquisition and sharing at county borders. The regional GIS work group has recommended Merrick & Company because of its ability to meet all technical specifications of the RFP. Cook County, the largest, most complex territory in the region, comprising dense urban areas, airports, and shoreline environments, acts as the lead government project manager for this initiative. The entities able to contribute financially to this project are the Counties of Cook, DuPage, Kane, Kendall and Lake, and the Chicago Metropolitan Agency for Planning. Beneficiaries of this project are the Cook County municipalities that provide vital operations: emergency first responders, emergency planners, remediation experts for homeland security, and emergency management and disaster preparedness entities.

Estimated Fiscal Impact: \$1,280,907.74. Contract period: April 1, 2009 through July 31, 2010. (545-260 Account). Requisition No. 95450009.

Sufficient funds are available in the Geographic Information Systems Fund.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Beavers, seconded by Commissioner Peraica, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

DEPARTMENT OF PLANNING AND DEVELOPMENT

HOME INVESTMENT PARTNERSHIPS PROGRAM

Transmitting a Communication, dated February 4, 2009 from

MAURICE S. JONES, Director, Department of Planning and Development

Re: HOME Investment Partnerships Program (HOME)

respectfully request approval of a HOME Investment Partnerships Program Operating Grant in the amount of \$50,000.00 to Habitat for Humanity - Chicago South Suburbs Community Housing Development Organization (CHDO). The CHDO Operating Grant will be used to pay organizational costs during the development of the next phase of the construction/rehabilitation project in the south region of Cook County. The construction of two (2) new homes in the Village of Riverdale and the rehabilitation of one home in the Village of Riverdale and one (1) in the City of Harvey.

I respectfully request approval of this project and that the Chief of the Bureau of Capital, Planning and Facilities Management, or his designee, is authorized to execute on behalf of the County of Cook any and all documents necessary to further the project approved herein, including but not limited to the HOME Loan agreement and any modifications thereto. The approval of this grant by your Honorable Body will permit staff to issue commitments to allow this project to move forward.

Estimated Fiscal Impact: None. Grant funded amount: \$50,000.00. (772-298 Account).

Commissioner Peraica, seconded by Commissioner Steele, moved that the request of the Director of the Department of Planning and Development be approved. **The motion carried.**

Commissioner Daley voted "present".

RESOLUTIONS

Transmitting a Communication, dated February 4, 2009 from

MAURICE S. JONES, Director, Department of Planning and Development

Re: 4938 South Kedzie, LLC
Resolution Approving Class 8 Special Circumstances

submitting this Resolution regarding 4938 South Kedzie, LLC's application for a Class 8 property tax incentive.

4938 South Kedzie, LLC requests approval of the tax incentive based on special circumstances, abandonment, under the Class 8 Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

4938 South Kedzie, LLC's application for a Class 8, and a Department of Planning and Development staff report have been submitted for your information.

**09-R-130
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for a facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from 4938 South Kedzie, LLC, Resolution No. 08-47 of the City of Calumet City for an abandoned facility located at 1900-1968 Sibley Boulevard, Calumet City, Cook County, Illinois, County Board District #4, Property Index Numbers 29-12-127-033-0000; 29-12-128-033-0000; 29-12-128-034-0000; 29-12-128-035-0000; 29-12-129-028-0000; 29-12-129-041-0000 and 29-12-129-043-0000; and

WHEREAS, Cook County has defined "abandoned property" as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, Cook County has defined an exception to this abandon property definition shall be, if the City of Calumet City or the Board of Commissioners, finds that special circumstances justify finding that the property is "abandoned" for purposes of Class 8; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest the County may determine that special circumstances justify finding the property is deemed "abandoned"; and

WHEREAS, Class 8 requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for 16 months at the time of purchase, and that special circumstances are present; and the applicant estimated that 150 new full-time jobs and 50 part-time jobs will be created, and an estimated 50-70 construction jobs will be created; and

WHEREAS, the City of Calumet City cites the special circumstances including, the redevelopment and occupation of the abandoned property, will only occur if the Class 8 Tax Assessment is authorized in order to overcome the special circumstances that are inherent to the property, which will continue to thwart any viable redevelopment; the irregular size of the structures and their innate design flaws that create an attractive nuisance to criminal elements; the aging and eroding of mechanical equipment within the abandoned structures; the unkept and unsightly abandoned structures that have created a blighting effect on surrounding residential neighborhoods, and the ongoing deterioration of the abandoned structures that have an intrinsic chilling effect on the influx of potential commercial development within the region.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 1900-1968 Sibley Boulevard, Calumet City, Cook County, Illinois, is deemed "abandoned" with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Peraica, seconded by Commissioner Steele, moved that the Resolution be approved and adopted. **The motion carried.**

Commissioner Daley voted "present".

* * * * *

Transmitting a Communication, dated February 4, 2009 from

MAURICE S. JONES, Director, Department of Planning and Development

Re: CFIII 1420 Chase, LLC
Resolution Approving Class 6b Special Circumstances

respectfully submitting this Resolution regarding CFIII 1420 Chase, LLC's application for a Class 6b property tax incentive.

CFIII 1420 Chase, LLC requests approval of the tax incentive based on special circumstances, abandonment, under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

CFIII 1420 Chase, LLC's application for a Class 6b, and a Department of Planning and Development staff report have been submitted for your information.

**09-R-131
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from CFIII 1420 Chase, LLC, CF III 1300 Chase, LLC, CFIII 1400 Chase, LLC, and CFII Wisconsin Downers Grove, LLC and Resolution No. 19-08 from Elk Grove Village for an abandoned industrial facility located at 1420 Chase Avenue, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number (PIN) 08-27-402-058-0000; and

WHEREAS, Cook County has defined "abandoned property" as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, Cook County has defined an exception to this abandoned property definition shall be, if the municipality or the Board of Commissioners, finds that special circumstances justify finding that the property is "abandoned" for purposes of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed "abandoned"; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed "abandoned" for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for seven months at the time of purchase; and

WHEREAS, the re-occupancy will attract new jobs, the number to be determined once the property is leased, and that special circumstances are present; the property is located in the vicinity of other vacant buildings, and the Village authorities have been actively marketing said area, and there is a concern that the subject property will remain vacant without the assistance of a Class 6b; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 1420 Chase Avenue, Elk Grove Village, Cook County, Illinois, is deemed "abandoned" with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Peraica, seconded by Commissioner Steele, moved that the Resolution be approved and adopted. **The motion carried.**

Commissioner Daley voted "present".

* * * * *

Transmitting a Communication, dated February 10, 2009 from

MAURICE S. JONES, Director, Department of Planning and Development

Re: CenterPointe James Fielding, LLC a/k/a CenterPoint Mirvac, LLC
Resolution Approving Class 6b Special Circumstances

respectfully submitting this Resolution regarding CenterPointe James Fielding, LLC a/k/a CenterPoint Mirvac, LLC's application for a Class 6b property tax incentive.

CenterPointe James Fielding, LLC a/k/a CenterPoint Mirvac, LLC requests approval of the tax incentive based on special circumstances, abandonment, under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

CenterPointe James Fielding, LLC a/k/a CenterPoint Mirvac, LLC's application for a Class 6b, and a Department of Planning and Development staff report have been submitted for your information.

**09-R-132
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from CenterPointe James Fielding, LLC a/k/a CenterPoint Mirvac, LLC and the Resolution from the Village of Bedford Park for an abandoned industrial facility located at 6510 West 73rd Street, Bedford Park, Cook County, Illinois, County Board District #11, Property Index Number (PIN) 19-30-200-021-0000; and

WHEREAS, Cook County has defined "abandoned property" as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, Cook County has defined an exception to this abandoned property definition shall be, if the municipality or the Board of Commissioners, finds that special circumstances justify finding that the property is "abandoned" for purposes of Class 6b; and

WHEREAS, in the case of abandonment of 24 months and no purchase for value, the County may determine that special circumstances justify finding the property is deemed "abandoned"; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed "abandoned" for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was vacant for greater than 24 months and there was no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will retain and/or create an estimated number of new jobs to be determined when the property is leased, and the Village of Bedford Park cites the "special circumstances" including, the Class 6b is necessary for development to occur, and the subject property has been vacant for greater than 24 months and real estate tax relief is needed in order to attract future possible tenants/users; and the subject property is located in the vicinity of other vacant buildings and the Village authorities have been actively marketing said area; and CenterPoint Trust has indicated to the Village authorities that it has spent approximately \$1.2 million dollars to improve the subject property; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 6510 West 73rd Street, Bedford Park, Cook County, Illinois, is deemed "abandoned" with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Peraica, seconded by Commissioner Steele, moved that the Resolution be approved and adopted. **The motion carried.**

Commissioner Daley voted "present".

DEPARTMENT OF PUBLIC HEALTH

RESOLUTION

Transmitting a Communication, dated February 9, 2009 from

STEPHEN A. MARTIN, JR., Ph.D., M.P.H., Chief Operating Officer, Department of Public Health

The Cook County Department of Public Health respectfully requests the Board of Commissioners approve a Resolution acknowledging World TB Day on March 24, 2009.

**09-R-133
RESOLUTION**

Sponsored by

**THE HONORABLE TODD H. STROGER, PRESIDENT, JERRY BUTLER
AND ELIZABETH “LIZ” DOODY GORMAN, COUNTY COMMISSIONERS**

RECOGNIZING MARCH 24, 2009 AS WORLD TB DAY

WHEREAS, the spread of tuberculosis continues to present a global public health threat, second only to HIV/AIDS, Tuberculosis (TB) is one of the world’s leading infectious killers; and

WHEREAS, tuberculosis is primarily an illness of the respiratory system that spreads by coughing and sneezing. Each year, about two million people worldwide die from this curable disease; and

WHEREAS, with appropriate antibiotic treatment, TB can be cured in most people. Left untreated, each person with active TB disease can infect an average of between 10 and 15 people every year; and

WHEREAS, successful treatment depends on close cooperation between the patient and health care provider. Patients who stop taking their medication before they are cured remain ill and are at risk for developing and spreading multi-drug resistant TB, a deadlier form of TB that is much more costly and difficult to treat; and

WHEREAS, in suburban Cook County, treatment and control services are provided by the Cook County Department of Public Health’s (CCDPH) TB Prevention and Control Unit; and

WHEREAS, an effective TB prevention and control program includes screening, early case identification, contact tracing, and treatment. These are the services provided by the CCDPH that are so essential to the prevention of costly TB outbreaks.

NOW, THEREFORE, BE IT RESOLVED, that I, Todd H. Stroger, President of the Cook County Board of Commissioners, do hereby recognize the efforts of the Cook County Department of Public Health to provide the services needed to control this disease and furthermore recognize March 24, 2009, as World TB Day.

Approved and adopted this 4th day of March 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Butler, seconded by Commissioner Gorman, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

OFFICE OF THE PURCHASING AGENT

BID OPENING

February 24, 2009

Honorable President and Members
Board of Commissioners of Cook County
Chicago, Illinois 60602

Dear Ladies and Gentlemen:

Pursuant to the rules of this Board, I hereby submit for your consideration, bids which were opened under my supervision on Tuesday, February 24, 2009, at 10:00 A.M., in the County Building, Chicago, Illinois.

Very truly yours,

~~WILLIAM M. BEAVERS~~ JERRY BUTLER, County Commissioner

| <u>CONTRACT NO.</u> | <u>DESCRIPTION</u> | <u>USING DEPARTMENT</u> |
|----------------------------|---|---------------------------------------|
| 08-84 -137 Rebid | Floor care products | Stroger Hospital of Cook County |
| 08-15-165H1 | Patient care supplies | Cook County Health & Hospitals System |
| 08-53-386 | Pneumatically controlled HVAC system services | Oak Forest Hospital of Cook County |
| 09-15-501H Rebid | Blood culture bottles and monitoring system | Cook County Health & Hospitals System |

HIGHWAY BIDS

| <u>BID</u> | <u>SECTION</u> |
|--|-----------------------|
| 1. Hanover Township 2009 Motor Fuel Tax Project | 09-09112-90-RS |
| 2. 167th Street, Central Avenue to Cicero Avenue | 08-B5927-02-RP |
| 3. Steger Road Bridge over Plum Creek | 08-C1338-03-BR |

By consensus, the bids were referred to their respective departments for review and consideration.

CONTRACTS AND BONDS

Transmitting a Communication, dated March 4, 2009 from

CARMEN K. TRICHE-COLVIN, Purchasing Agent

The following contracts are being submitted for approval and execution:

**Adelante, P.C.
Agreement
Contract No. 09-41-22**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$104,500.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**Affiliated Psychologists, Ltd.
Agreement
Contract No. 09-41-19**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$81,250.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**The Center for Contextual Change
Agreement
Contract No. 09-41-21**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$45,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**Cognitive Behavioral Solutions, LLC
Agreement
Contract No. 09-41-20**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$91,200.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**Latino Family Services, P.C.
Agreement
Contract No. 09-41-28**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$67,500.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**New Hope Community Service Center
Agreement
Contract No. 09-41-26**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$25,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**Pickens-Kane Moving and Storage Company
Agreement
Contract No. 09-41-13**

For the Moving of Election Equipment and Materials, for a Total of Six (6) Cook County Elections in the Years, 2009, 2010 and 2011, for the County Clerk's Office, Election Division, for the contract sum of \$3,676,824.00, for a period of twenty-nine and a half (29.5) months, as authorized by the Board of Commissioners 11/19/08.

**Ronald C. Simmons Psy.D. and Associates, Inc.
Agreement
Contract No. 09-41-14**

To Provide Court Ordered Assessment and Treatment Services to Probationers Convicted of Sex Offenses, for the Adult Probation Department, for the contract sum of \$111,250.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 12/17/08.

**Calico Industries, Inc.
Contract
Contract No. 06-84-477 Rebid**

For Refuse Receptacle Liners, as required for use by the Department of Corrections, for the contract sum of \$115,848.00. This is a requirements contract for a period of twelve (12) months. Date Advertised 8/5/08. Date of Bid Opening 9/4/08. Date of Board Award 2/18/09.

**Montenegro Paper
Contract
Contract No. 08-83-307 Rebid**

For Various Offset Paper, as required for use by the Department of Central Services, for the contract sum of \$166,046.00. This is a requirements contract for a period of twelve (12) months. Date Advertised 10/21/08. Date of Bid Opening 11/13/08. Date of Board Award 2/18/09.

**Progressive Industries, Inc.
Contract
Contract No. 08-73-356**

For Filters, as required for use by the Department of Facilities Management, for the contract sum of \$138,699.73. This is a requirements contract for a period of twelve (12) months. Date Advertised 11/25/08. Date of Bid Opening 12/18/08. Date of Board Award 2/18/09.

The above referenced contract documents (and bonds, where required), have been executed by the Contractors and approved as to form by the State's Attorney. Respectfully request that following approval by your Honorable Body, the appropriate officials be authorized to sign same on behalf of the County of Cook.

Commissioner Daley, seconded by Commissioner Sims, moved that the contracts and bonds be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

REAL ESTATE MANAGEMENT DIVISION

LEASE AGREEMENT

Transmitting a Communication, dated February 18, 2009 from

RAYMOND MULDOON, Director, Real Estate Management Division

respectfully requesting approval of the license agreement between the County of Cook, as licensor and Aunt Martha's Healthworks, Chicago Heights, Illinois, as licensee for space at four Cook County Department of Public Health locations. Aunt Martha's Healthworks will utilize the space at each location for general office purposes. Aunt Martha's Healthworks case managers will provide services and assist pregnant women and infants under the age of one, enroll pregnant women and infants into case management programs, complete assessments on pregnant women and infants, complete All Kids applications on site and assist with referrals for patients. Details are:

Licensor: County of Cook

Licensee: Aunt Martha's Healthworks Joint Venture, LLC

Location: South Holland site, located at 52 West 162nd Street, South Holland, Illinois
Robbins site, located at 13450 South Kedzie Avenue, Robbins, Illinois
Cottage Grove site, located at 1645 Cottage Grove Avenue, Ford Heights, Illinois
Markham site, located at 16501 South Kedzie Avenue, Markham, Illinois

Term: 1/01/09 – 12/31/11

License Fee: \$10 (and other value consideration)

Termination: 30 day written notice by either party

Licensee has met the insurance requirements under the License Agreement.

All services provided will be free of charge to the patient.

Recommend approval.

The Finance Committee of the Board of Directors of the Cook County Health & Hospitals System approved this item at their meeting on Friday, February 20, 2009.

Commissioner Goslin, seconded by Commissioner Steele, moved that the lease agreement be approved. **The motion carried unanimously.**

OFFICE OF THE STATE'S ATTORNEY

GRANT AWARD ADDENDUM

Transmitting a Communication, dated January 23, 2009 from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a no cost grant extension from the U.S. Department of Justice (USDOJ), Office of Juvenile Justice and Delinquency Prevention for the Cook County Internet Crimes Against Children (ICAC) Task Force Program. This extension will enable the office to expend the entire award amount as well as accomplish all of the program goals and objectives.

This grant provides funding to equip and train the Cook County ICAC Task Force partner agencies in an effort to aggressively identify, investigate and prosecute persons who use the Internet to sexually exploit children. The Cook County ICAC Task Force partners include representatives of the State's Attorney's Office, the Chicago Police Department and law enforcement agencies from each of the five suburban Municipal Districts. Task Force partners from local law enforcement agencies concentrate their investigative efforts in the City of Chicago and the entire outlying suburban Cook County area.

The authorization to accept the original grant was given on July 12, 2005 by the Cook County Board of Commissioners in the amount of \$100,000.00 and authorization to accept a supplemental award was given on November 6, 2007 in the amount of \$225,000.00.

Estimated Fiscal Impact: None. Funding period extension: February 1, 2009 through July 31, 2009.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Moreno, seconded by Commissioner Steele, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved. **The motion carried unanimously.**

GRANT AWARD RENEWAL

Transmitting a Communication, dated January 21, 2009 from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to renew a grant in the amount of \$251,726.00 from the Illinois Criminal Justice Information Authority (ICJIA) for the Law Enforcement and Prosecutor Based Victim Assistance – Victim Generalists Program. The grant funds seven (7) Victim Generalists who are assigned to the Victim Witness Assistance Program located at 2650 South California Avenue.

The match requirement for this program is 25% of the total award and is met through a cash match contribution consisting of the salaries and fringe benefits of three of the seven grant-funded Victim Generalists.

The authorization to accept the previous grant was given on November 20, 2007 by the Cook County Board of Commissioners in the amount of \$348,636.00 with a cash match of \$225,462.00.

Estimated Fiscal Impact: \$213,662.00 [Required Match: \$62,932.00; and Over Match: \$150,730.00; - (250-818 Account)]. Grant Award: \$251,726.00. Funding period: November 1, 2008 through October 31, 2009.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Moreno, seconded by Commissioner Steele, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

PENDING LITIGATION

Transmitting a Communication, dated February 17, 2009 from

ANITA ALVAREZ, Cook County State's Attorney

by

PATRICK T. DRISCOLL, JR., Deputy State's Attorney, Chief, Civil Actions Bureau

respectfully request permission to discuss the following cases with the Board or the appropriate committee thereof:

1. Thomas Gaston v. Thomas Dart, Case No. 06 L 9173
(Comm. No. 299113).
2. Asden Glover v. County of Cook, et al., Case No. 08 L 4300
(Comm. No. 299114).
3. Wesley Kresen v. Cook County, et al., Case No. 08 C 1467
(Comm. No. 299115).
4. Byron Pamon v. County of Cook, Pre-filing
(Comm. No. 299116).

Commissioner Silvestri, seconded by Commissioner Peraica, moved that the communications be referred to the Litigation Subcommittee. **The motion carried unanimously.**

EXECUTIVE SESSION

Transmitting a Communication, dated February 18, 2009 from

RAYMOND MULDOON, Director, Real Estate Management Division

The Honorable Members of the Board of Commissioners, at the regular meeting of July 31, 2007, authorized the sale of certain parcels of real estate owned by the County of Cook located at the Oak Forest Hospital Campus, 15900 South Cicero Avenue, Oak Forest, Illinois.

Pursuant to Board approval on December 18, 2007, Cushman & Wakefield, with its minority subconsultant, Concordis Frontier Commercial, was retained to serve as the County's broker for the sale or other disposition of the property.

Cushman & Wakefield has been successful in marketing, negotiating and securing a qualified offer to purchase a 66 acre parcel located on the Hospital campus adjacent to Crawford Avenue.

Requesting permission to discuss this offer with the Board in executive session. This request for a closed meeting is made pursuant to an exception to the Illinois Open Meetings Act, 5 ILCS 120/2(c)(6): "The setting of a price for sale or lease of property owned by the public body."

Commissioner Goslin, seconded by Commissioner Schneider, moved that the Regular Session be recessed and that Executive Session be convened to discuss the setting of a price for the sale of certain property on Crawford Avenue adjacent to the Oak Forest Hospital of Cook County Campus. This request for a closed meeting is made pursuant to the Illinois Open Meeting Act, specifically, 5 ILCS § 120/2(c)(6): "The setting of a price for sale or lease of property owned by the public body." **The motion carried and the Board of Commissioners convened in Executive Session.**

BOARD RECONVENED

Commissioner Goslin, seconded by Commissioner Silvestri, moved that the Executive Session be adjourned and that the Regular Session be reconvened. **The motion carried and the Board of Commissioners reconvened Regular Session.**

Commissioner Goslin, seconded by Commissioner Moreno, moved that the County Board accept the recommendation of the Real Estate Management Division to enter into a contract for the sale of the Crawford Parcel; that the President and County Comptroller be authorized to execute the contract; and that the President and his designees be authorized to execute any and all documents and take any and all actions necessary to effectuate the sale in accordance with the contract. Commissioner Goslin called for a Roll Call, the vote of yeas and nays being as follows:

ROLL CALL ON THE MOTION TO APPROVE

Yeas: Butler, Daley, Gorman, Goslin, Moreno, Murphy, Silvestri, Sims, Steele, Suffredin - 10.

Nays: Beavers, Maldonado – 2.

Absent: Claypool, Collins, Quigley, Peraica, Schneider- 5.

The motion to approve CARRIED.

ADJOURNMENT

Commissioner Silvestri, seconded by Commissioner Suffredin, moved that the meeting do now adjourn to meet again at the same time and same place on Tuesday, March 17, 2009, in accordance with County Board Resolution

The motion prevailed and the meeting stood adjourned.

County Clerk